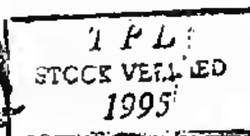
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PART I

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Kerala Gazette No. 14 dated 3rd April 1984.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 60/84/LBR. *Dated, Trivandrum, 16th January 1984.*

The award of the Industrial Tribunal, Quilon in respect of the dispute between the Managing Director, Kerala Forest Development Corporation Ltd., Kottayam and their workmen represented by (1) The General Secretary, Kerala Forest Development Corporation Employees Union, Kottayam and (2) Sri K. I. Iype (Additional Party) received by Government on 2-1-1984 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. Sivadasan,
Deputy Secretary to Government.

In the Court of the Industrial Tribunal, Quilon

(Dated this the 30th day of December, 1983)

Present:

Shri C. N. SASIDHARAN, B. SC., B. L.

Industrial Tribunal

In

INDUSTRIAL DISPUTE No. 2/82

Between:

The Managing Director, Kerala Forest Development Corporation Ltd., Kottayam

(By Advocate Sri Joy Joseph, Kottayam)

And

The workmen of the above concern:

(1) The General Secretary, Kerala Forest Development Corporation, Employee's Union, Kottayam (A.I.T.U.C.).
(By Advocate Sri P. Narayanan Nair, Alleppey)

(2) Sri K.I.Iype (Additional Party).
(By Advocate Sri G. Velayudhan Pillai, Kottarakkara).

AWARD

This reference was made by Government as per G. O. (Rt.) No. 501/81/ LBR dated 3-4-1981. The reference was in the first place to the Industrial Tribunal, Alleppey. Subsequently it was transferred to this Tribunal with its constitution and re-numbered in the present form. The issues referred for consideration are the following :—

(1) Permanency of all employees appointed directly by the Management.

(2) Termination of service of M/s P. V. Thomas, Steno Typist and P. Ananthan, Typist.

The union in the claim statement contends as follows: The Kerala Forest Development Corporation, the management, is a Ltd. Company sponsored by the Government of Kerala and registered under the Companies Act. The corporation has engaged persons in various categories and they were paid wages every month on the basis of daily wages. These employees have been working on this basis from the date of engagement regularly and continuosly. The director board of the corporation has revised the wages twice. These employees were employed in work of a permanent nature, and hence are permanent. But these employees have been treated by the corporation as temporary. At the time of appointing them there had been no conditions of service entered into between the corporation and these employees and the corporation has not framed any standing orders regarding these employees. Though they are permanent employees, the management has not extended to them the benefits, the permanent employees are entitled to. On 12-8-1979 and 9-4-1980 the union has made demands to regularise these employees as permanent. Though the District Labour Officer, Kottayam has convened several conferences, the corporation refused to make these workmen permanent. The management denied monthly wages and all other benefits to these employees, though the same is paid to a section of the employees in the corporation. The management is now trying to substitute all employees with fresh hands recruited through Public Service Commission but there were no such condition stipulated at the time of appointment. According to the union, these employees have the right to be made permanent under law, equity and justice. The persons recruited through Public Service Commission can replace persons who are now in the service of the corporation on deputation from the Government service. Therefore, the union prays for a declaration that these employees are to be treated as permanent employees of the corporation and are entitled to monthly salary with all other benefits paid to other similar employees of the corporation.

Regarding issue No. 2, the contention of the union relates to the termination of services of two employees, viz. Sri P. V. Thomas, Steno Typist and Sri P. Anandan, Typist. Sri Thomas was appointed as Steno Typist on 24-4-1978 at the Munnar Regional Office and Sri. Anandan was appointed as Typist on 25-10-1976 at the Punalur region. Both of them are qualified hands having the necessary qualifications. The services of the two employees

were terminated on 29-1-1981 and 24-1-1981 respectively. This, according to the union, is improper, illegal and abinitio void. There was no notice of termination but only the refusal of employment. There was no notice alleging any misconduct proved against them. The prayer is to reinstate them with backwages.

The allegations of the union are resisted by the management in their written statement as stated below. The management is a Government Company. By its articles of association, the management is to adhere to the instructions and guidelines prescribed by Government in all matters including selection, appointment and conditions of services of its employees. By G. O. M. S. 246/76/PB dated 30-7-1976, the appointments to the corporation have been brought within the purview of Kerala Public Service Commission. The management had recruited staff immediately for initial works on deputation from goverament service, pending selection of employees on regular basis in accordance with the prescribed procedure. Some items of work like watching, typing, driving etc. were got done by casual workers on daily wages intermittently to carry on the day to-day work in the head office and other regions. These persons were engaged, pending appointment of regular hands through Public Service Commission. They have never been in the service of the corporation. The management denied that these persons have been working regularly and continuously. Since Government have revised wages to its employees, the wages paid to the employees in question have also heen revised twice. The persons so employed have been allowed to continue for the respective work so long as that work continued to exist. The activities carried on by the corporation is of a peculiar nature and so these employees cannot be permanantly absorbed. There will he substantial work only at the planting stage in Eucalyptus, Teak etc. These two, unlike otber plantation do not require continuous upkeep and maintenance after planting. Hence the employees engaged in connection with these planting cannot be continued. Though the initial project was to plant 40,000 hectares, it was subsequently reduced to 15,000 hectares. Therefore, it would he a burden on the part of tbe corporation to take all these employees into the regular service permanantly. The management has not framed service conditions since these employees were only casual workers. They are not entitled to claim the benefits given to permanent hands. The daily rated employees engaged for different works are work charged and at tbe most they can only be plantation workers. The cardamom plantation at Pachakanam and fire wood depots are being managed by the corporation on behalf of the Government. The terms and conditions of management of the cardamom plantation have not been finalised and the continuance of these units under the corporation has not definitely decided. Hence the corporation is unable to consider the permanency of the existing temporary hands. Forestry activities are seasonal and hence the question of continuous employment of all these persons does not arise at all. According to the management, the list of the employees submitted by the union along with claim statement is in-correct and in-accurate and no reliance can be placed on this list. Monthly wages are paid only to regular employees recruited through Public Service

Commission. These employees are directly recruited on a temporary basis and they are being paid accordingly. The management is bound by the provisions of Kerala Public Service Commission rules. These employees have no right to be permanent either in law, equity or justice. The persons working on deputation will go back to their service as and when the initial planting operations are over. The persons temporarily appointed can continue till the regular selection is made by Public Service Commission. The question of deputation or direct selection is a policy matter to be decided by the company in consultation with Government. The corporation is to observe the principle of communal reservation rotation and other directions of Government. The corporation has prescribed certain qualifications for the post of Drivers, Typists, Steno-Typist etc. and these employees in question do not possess the required qualifications.

Regarding issue No. 2 the management further contended that the corporation has not appointed these two persons in their service. The Regional Manager has appointed them on daily wages in the exigencies of work to attend to certain day to-day work only. On the request of corporation the Public Service Commission has advised candidates for appointment as Steno-Typist and the corporation had to post them in the available places. These two persons were not engaged by the Regional Manager as there was no work for the continuance of them. Since they were not appointed under the corporation the management is not bound to give notice of termination. They could continue to work so long as the Regional Manager requires them. It is further contended that the Munnar unit were these two persons were engaged was practically been abolished as the work in that area has been completed and the office wound up.

The union has a filed replication re-affirming their contentions in the claim statement. It is further contended by the union that these employees are controlled by the provisions of the Industrial Dispute Act and similar other labour legislations, since they are engaged in an industrial establishment to do manual, clerical, technical and supervisory work. According to the union these employees have not been appointed under a condition that their employment will be terminated when Public Service Commission hands are absorbed. The concerned workers are having services of three to five years and they are entitled to all the benefits of permanent workers. The qualification for the posts should have been looked into at the time of appointing them and that these employees cannot be terminated without termination order.

Sri Iype, a Pharmacist-cum-Nurse who was represented by the union initially was impleaded as an additional party by order dated 22-9-1982. He has not filed any separate claim s atement.

The prayer relating to the union is for a declaration that the workmen are permanent. The case put forward by the union is that the workmen in question were recruited permanently and have been working there regularly and continuously since 1976. The management's case is that the appointment of this workmen were of a casual or temporary nature and were

intended to be terminated whenever they do not require their service or the Public Service Commission hand come.

We shall now consider issue No. 1. The evidence consist of statements of WW1 to 3 and Exts. W1 to W17 for the union and statements of MW1 to 3 and Exts. M1 to M5 on the side of the management. MW1, the Steno-Typist whose service was terminated has deposed that he was appointed in April 1978 and worked there till January 1981. According to his version there was no appointment order and that he was not served with a notice of termination order but there was a denial of employment. He has admitted in cross-examination that his appointment was on day to-day basis and salary was also disbursed to him on daily basis. Further he has deposed that he was appointed by the Regional Manager for the Munnar region and that at the Munnar region now there is a Steno-Typist selected by the Public Service Commission. His statement is supported by WW2, the union secretary. WW2 has stated that the employees in question were employed by the Managing Director and the Regional Managers and that there was no understanding between corporation and the employees that their service will be terminated as and when the Public Service Commission hands come. According to him these employees were recruited permanently and not as a stop gap arrangement. He has admitted that the appointment of Watcher, Typist, Steno-Typist etc. are under the purview of Public Service Commission. He has further stated that these employees are paid on a daily rate basis. WW3 Sri Iype who is impleaded as an additional party has deposed that he is a fully qualified Pharmacist-Cum-Nurse and that he is doing all the works in the dispensary. His statement is corroborated by WW2. He has admitted in cross-examination that his salary is paid on daily basis.

MW1, the Regional Manager, Munnar Division has proved Exts. M1 to M3. Ext. M1 is the Government notification dated 30-7-1976 by which the appointments in the corporation are made under the Public Service Commission. He has depose that appointments are made on the advice of Public Service Commission and pending selection some employees were appointed temporarily as and when work necessitated.

According to his version these employees are paid on daily basis and are not entitled to claim any benefit as of permanent workers. MW2 is the chief construction engineer. He has also deposed in support of the managements case. MW3 is the Secretary of the corporation. He has proved Exts. M4 and M5. Ext. M4 is the Government notification by which the basic pay of the employees recruited by the Public Service Commission for the corporation is raised from Rs. 500 to 700. Ext. M5 series are xerox copies of advice from the Public Service Commission for appointments to the posts of Driver, Steno-Typist, Office Assistant grade II etc. He has also stated that temporary appointments were made pending selection of regular hands through Public Service Commission. According to this witness the eighty-three employees in the list furnished by the union are having basic pay below Rs. 500. He has further deposed that there is no permanent post of Pharmacist-Cum-Nurse in the Corporation.

The sole question is whether these employees are casually employed or regularly employed, on a daily basis as and when work necessiated their employment. Admittedly there is no documentary evidence regarding the terms of their employment. The question is therefore to be decided on the basis of oral evidence and probabilities. The oral evidence already referred to above is interested on both sides and cannot be safely relied, unless it is supported by probabilities and circumstances of the case.

First of all as per Ext. M1 notification the posts in question would have been filled only on the advice of Public Service Commission since 30-7-1976. All employees except one shown in the list of employees furnished by the union along with the claim statement, were employed after the date of M1 notification even according to the union. In the face of this order it is improbable that the officers of the corporation would have employed the workmen in question on a regular basis. It is unlikely that they would have flouted the Government Order Ext. M1. Ext. M5 series would also go to show that the appointments are made on the advice of Public Service Commission to the posts in question. Further WW2 the union Secretary has also admitted that the appointments of Watcher, Driver, Steno-Typist etc. are governed by Public Service Commission. In these circumstancee the explanation of the management that the workmen in question were appointed on day to-day basis pending recruitment through Public Service Commission appears to be probable. The union brings to my notice the fact that the management has not produced the records showing that the workmen were working continuously and permanently. Such records even if produced would have best shown that they were working continuously. Even if it is so, it will not follow that they were not employed on a day to-day basis. There is another circumstances which support the case of the management, is the admitted fact that the remuneration of the workmen in question have been calculated on a daily basis. If the workmen had been regularly employed there is no meaning in calculating their remuneration on a daily basis. This in my view is a strong circumstance indicating that the employment of the workmen in question was only on a day to-day basis. It is urged on behalf of the union that there is no record to show that the workmen had been informed that they are liable to be replaced as and when the nominees of Public Service Commission turns up. If the employment of the workmen in question was purely casual and on a day to-day basis the fact that they were not informed that the post would be filled eventually on a regular basis by appointing Public Service Commission nominees will not change the casual character of their appointment.

It follows from the above discussion that the circumstances and probabilities support the case of the management that the appointments are of a casual nature and therefore unable to accept the case set up by the union that they are regular employees entitled to a declaration of permanency or to other benefits under the Industrial Dispute Act.

The learned counsel Sri. Velayudhan Pillai appearing for the additional worker Sri. Iype, has placed reliance on two decisions of the Honourable

High Court of Kerala in support of his argument that Sri Iype is entitled to be permanent. The first authority cited is the decision in E.I.D. Parry Ltd. *V*. Industrial Tribunal, Alleppey and another reported in 1972 KLT Page 446. That decision has no application to the facts of the present case since in the reported case the Hon'. Court has dealt with determination of wages of employees and the principles regarding such determination only. The second authority cited is the decision in Calicut Mordum Spinning and Weaving Mills Ltd. *V*. Industrial Tribunal, Calicut and another (1977 KLT. Page 688). That was a case in which the re-instatement of headload workers was the issue. That decision also has no application to the case before me since the appointments in the reported case was not governed by the Public Service Commission. So I am of opinion that Sri Iype is also not entitled to any relief as claimed by him. On the other hand the learned counsel Sri Joy Joseph appearing for the management has brought to my notice a decision of Hon'. High Court of Kerala in O. M. Viswambharan and others *V*. State of Kerala and others (1983 LAB I. C. Page 369) in support of his argument that the employees in question have no right to be permanent since the appointments are done by the Public Service Commission in the posts of the corporation. In the above case the Hon'. Court has discussed a similar issue and made the following observation.

> "The provisions of the Industrial Disputes Act cannot override the Constitutional rights of the persons who have been selected by a due process of selection by the Public Service Commission. The latter are persons who, being eligible to be appointed, have undergone a regular process of selection. They have been afforded an opportunity to seek employment along with others similarly placed and have been found to be eligible for appointment and are accordingly advised. Rights of persons temporarily appointed by way of stop-gap arrangement cannot be read so as to defeat the Constitutional rights as otherwise it would defeat the rule of equal opportunity envisaged under Art. 16 (1) of the Constitution and the provisions of Art. 320 which enable the Public Service Commission to resort to regular recruitment in order to secure that opportunity to the applicants".

Though the issue involved in the reported case is not exactly similar to the facts of the case before me, the principle laid down in the decision is squarely applicable to the facts and circumstances of the instant case also. In view of this proposition also the contention of the union fails.

Now we shall proceed to the second issue viz. the termination of Sri P. V. Thomas and Sri P. Anandan. In view of the conclusion made above regarding the appointments and service of the employees in question the validity of the termination of these two employees does not arise because termination is lawful. Even according to Sri P. V. Thomas he was paid on daily wage basis and he was doing some other works also apart from the work of Steno-Typist as per the direction of the Regional Manager. Since the appointments are governed by the provisions of the Public Service

Commission and these two workmen were employed as a stop-gap arrangement, the management is not bound to give any notice of termination to these temporary employees under Section 25-F of the Industrial Dispute Act. It has also come in evidence that these two persons were replaced by the Public Service Commission hands at the respective regions. The result therefore is that the case advanced by the union regarding the 2nd issue falls to the ground.

Sri P. Narayanan Nair the learned counsel who appears for the union has invited my attention to several decisions of various High Courts to the position that the management has violated the provision of Section 25-F in the termination of the services of these two employees and hence they are entitled to be re-instated. I shall now look into only one decision of Hon'. Supreme Court in Surendra Kumar Verma V. Central Government Industrial Tribunal, reported in 1981 LLJ Page 368, since all the other decisions cited by the learned counsel has been referred by the Supreme Court in the present decision. The Hon'. Court in the above decision has dealt with a case of retrenchment of employees of a bank and set aside the termination order and directed to re-instate the employees even though they were temporary hands. This decision according to me has no bearing to the facts and circumstances of the instant case since the appointments in question are controlled by the Public Service Commission and these two employees were engaged temporarily on daily wages pending recruitment through Public Service Commission. So the decision relied on by Sri Narayanan Nair cannot come to the rescue of these two employees.

In the result an award is passed declaring that the workmen are not entitled to any relief.

C. N. SASIDHARAN,
Industrial Tribunal.

Quilon,
30-12-1983.

Appendix

Witnesses examined on the Union's side:

WW1. Sri P. V. Thomas.
WW2. Sri P. K. Chirabhanu.
WW3. Sri K. I. Iype.

Witnesses examined on the Management's side:

MW1. Sri V. R. Parameswaran Nair.
MW2. Sri V. Genesan.
MW3. Sri V. M. Joseph.

Exhibits marked on the Union's side:

W1. Certificate of experience issued to Sri P. V. Thomas by the Regional Manager dated 10-7-1979.

W2. Copy of representation submitted by Sri P. V. Thomas to Managing Director dated 6-12-1980.

W3. Copy of letter from the Regional Manager, Munnar to the Managing Director.

W4. Termination order of Sri P. V. Thomas dated 21-1-1981.

W5. Copy of the letter dated 12-2-1976 from the Managing Director to the Regional Manager, Punalur.

W6. Copy of the letter dated 14-2-1976 from the Managing Director to the Regional Manager.

W7. Copy of the letter dated 14-9-1976 from the Managing Director to the Regional Manager.

W8. Copy of letter dated 22-1-1977.

W9. Copy of the letter dated 18-7-1977 from the Secretary, Kerala Forest Development Corporation to the Regional Manager, Kottayam.

W10. Copy of the certificate issued to Sri K. I. Iype by the Assistant Manager, Kerala Forest Development Corporation Ltd.

W11. Copy of the order of Managing Director revising wages.

W12. Copy of the order of Regional Manager revising wages.

W13. Copy of the letter from the Regional Manager, Punalur to the Managing Director dated 17-12-1980.

W14. Copy of order revising wages of employees in Munnar Division.

W15. Copy of the circular of Managing Director dated 14-5-1981 regarding designation of posts under Kerala Forest Development Corporation.

W16. Copy of the letter from the Special Secretary Government of Kerala to the Managing Director dated 26-2-1982.

W17. Copy of the letter to Sri P. V. Thomas from the Regional Manager, Munnar dated 4-5-1982.

Exhibits marked on the Management's side :

M1. Government of Kerala notification dated 30-7-1976.

M2. True copy of the Minutes of discussion dated 21-4-1982.

M3. True copy of the Government order dated 19-8-1977.

M4. Government notification dated 27-11-1980.

M5-Series (5 numbers) Photostat copy of advise of Public Service Commission.

Kerala Gazette No. 14 dated 3rd April 1984.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 73/84/LBR. *Dated, Trivandrum, 18th January, 1984.*

The award of the Labour Court, Ernakulam in respect of the dispute between the President, Kottayam Wholesale Co-operative Consumer's Stores Limited No. K. 162, Kottayam-1 and their workman Shri V.P.George, Pakkathukunnel House, Muttambalam, Kottayam received by Government on 26-12-1983 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. Sivadasan,
Deputy Secretary to Government.

In the Labour Court, Ernakulam,
Friday the 16th December, 1983

Present:
Shri N. SUKUMARAN, B. SC., B. L.,
Presiding Officer

INDUSTRIAL DISPUTE No. 304 OF 1979

Between:

The President, Kottayam Wholesale Co-operative Consumer's Stores Limited No. K. 162, Kottayam-1

And

The workman Shri V. P. George, Pakkathukunnel House, Muttambalam, Kottayam

Representations:—

M/s. M. Ramachandran & P. V. Abraham, Advocates, Cochin-17 } For *Management.*

Shri Thomas John, Advocate, Cochin-12. } For *Workman.*

G.A. 204/L.

AWARD

The issue referred for adjudication by Government as per G. O. (Rt.) No. 1256/79/L & H dated 29-8-1979 is "Dismissal of Shri V. P. George".

2. The dismissal was on 9-8-1972 with retrospective effect from 7-1-1972. Efforts to settle the dispute at the stage of conciliation failed and the matter was reported to Government. The Government in the first instance refused to refer the matter for adjudication. The matter was taken up before the High Court by the affected workman in O. P. 767/76. It was as per the directions of the High Court in that petition that the reference was ultimately made.

3. The following facts are admitted:—

Shri V. P. George started as an employee of the Kottayam Wholesale Co-operative Consumer's Stores Limited No. K. 162, Kottayam (the Society for short) from 23-11-1964. The Society has various Branches were provisions and rationed articles are sold in retail. It had such Branches at Erayilkadavu and Manikunnam. Shri George was appointed as the Branch Manager of Erayilkadavu Branch and he was acting in that position from 18-4-1969 till it was closed towards the end of November 1971. Thereupon he was transferred to Manikunnam Branch where he started functioning as the Manager from 7-12-1971 onwards. Goods for sale are entrusted from the Central Godown of the Society to the Branch Managers as per indents issued by them. The goods so entrusted are entered in the liability register and the selling price is debited to the concerned Branch Manager in that register against which credit is given for the money remitted out of the sale proceeds as per remittance slips. Half yearly verification of stock in the Branches is made by Officers of the Co-operative Department deputed for that purpose and the accounts drawn up to see whether the balance struck in the liability register after giving credit to the remittance made Tallies with the liability. Periodical surprise inspections are also made by responsible officers of the Society to ensure that the Branch Managers handled the affairs of the Society properly.

4. The Management issued Ext. W3 charge to Shri V. P. George alleging that there was deficiency in the stock at the verification held on 30-6-1971 to the tune of Rs. 1,543.41. The date of the charge is 9-12-1971. That charge contained three allegations. They are the following:—

"I. That Shri George disobeyed the office orders by not submitting reply to the repeated reminders of this office.

II. That Shri George misappropriated the stock of goods entrusted to him for selling to the customers. Shri George misappropriated goods worth Rs. 1,543.41 in the year 1970-71.

III. That Shri George showed breach of trust in handling the stock of goods entrusted to him, thereby he failed to discharge his duties as a responsible and devoted servant of the Store."

Shri George in his explanation, copy of which is Ext. W4, stated that he did not disobey the lawful directions of the superior and that he is not liable for the deficiency since the goods entrusted to him were not allowed to be measured or weighed at the time of the delivery. He also alleged therein that there was a general strike in all the Branches from 25-8-1971 to 10-11-1971 and all the records were kept within the Branch Office which was remaining closed till it was opened and the goods and records removed without giving him an opportunity to verify them and that was the reason why he could not submit his explanations to the show cause memo issued earlier. The explanation did not find favour with the Management. So a domestic enquiry was ordered into the charges. MW1, an Advocate, was appointed to conduct the domestic enquiry. When that enquiry was in progress an additional charge dated 20-4-1972 was raised on the basis of the allegation that there was shortage in stock at the Manikunnam Branch when verification was effected on 31-12-1971 and 12-1-1972. The two additional counts of misconducts attributed in that charge which is Ext. W6 are the following:—

> "I That Shri V. P. George caused deficit in stock to the tune of Rs. 275.33 and Rs. 35.11 in provision and stationery and ration goods respectively from 19-11-1971 to 31-12-1971.
>
> II Shri George caused pecuniary loss to the employer store by causing deficit in stock as stated in charge No. I."

MW1 was asked to enquire into these additional item of misconducts as well. Shri George who participated at the initial stages of the enquiry was absent from it thereafter and the material proceedings were conducted and concluded in his absence. The Enquiry Officer found him guilty and that the same was accepted by the Management to award the punishment under challenge.

5. Shri George in his claim statement filed before this court contends that he was an active worker of the Union which gave leadership for the general strike from 25-8-1971 to 10-11-1971 and the Management had initiated disciplinary proceedings against him to victimise him on account of his union activities. It is further stated that the enquiry was held in violation of all principles of natural justice without giving him an opportunity to defend himself. The charges issued to him were vague and baseless. He who is innocent is entitled to reinstatement with all benefits.

6. The Management in its written statement contends as follows:—

The allegation of victimisation is not correct. Shri George was not an active worker of the Union. There was no special reason to victimise Shri George when all the workmen resorted to strike. Shri George while he was the Manager of the Erayilkadavu Branch made false entries in the relevant records and misappropriated substantial amounts. He did not properly account the receipts. As per the standing instructions the Managers were bound to sign the liability registers maintained by the Society. Shri George refused to sign that register. He had caused heavy loss to the Society. He committed breach of trust and the Society had lost

all its confidence in him. The misconducts attributed to him were well established in a properly conducted domestic enquiry. They were grave enough to award the punishment of dismissal. That punishment awarded in the circumstances has to be sustained. Shri George is not entitled to any reliefs.

7. Shri George has filed a rejoinder refusing the contentions and reaffirming the allegations contained in the claim statement.

8. The question as to whether there was a valid and proper domestic enquiry was considered by me as a preliminary issue and I found as per my order dated 9-2-1983 that there was no proper and valid domestic enquiry. (That order is appended to this award as an Annexure) Thereupon the Society opted to adduce fresh evidence. MWs. 2 and 3 were examined and additional documents proved. Even before the preliminary order exhibits upto M7 were marked on the side of the Society. A mistake had crept in giving the serial numbers of the documents marked thereafter through MWs. 2 and 3. Exts. M2 to M11 marked through these witnesses are hereby reassigned numbers as Exts. M8 to M17 respectively. The workman who was initially examined as WW1 gave further oral evidence after the preliminary order. Two other witnesses were also examined on his side. Exts. W1 to W8 were proved on his side in connection with the preliminary issue. Ext. W9 series remittance slips were produced by the Society as insisted by the workman and marked through the Society's witness.

9. The contention regarding the validity of the domestic enquiry had already been answered and therefore we need only find as to whether the Society had succeeded in establishing the charges against the workman. No attempt had been made by the Society to prove that the workman had disobeyed the lawful instructions of superior officers as alleged in item No. 1 of Ext. W3 charge. Item No. 3 of Ext. W3 and item No. 2 of Ext. W6 additional charge do not contain specific allegations and their fate depends upon the findings as to whether he had committed the substantial allegations contained in item No. 2 of Ext. W3 and item No. 1 of Ext. W6. So what actually we have to see is as to whether those allegations have been proved. I shall here repeat the allegations for ready reference:—

> *Item No. 2 of Ext. W3:* "That Sri George misappropriated the Stock of goods entrusted to him for selling to the customers. Sri George misappropriated goods worth Rs. 1,543.41 in the year 1970-71".
>
> *Item No. 1 of Ext. W6:* "That Sri V. P. George caused deficit in stock to the tune of Rs. 275.33 and Rs, 35.11 in provision and stationery and ration goods respectively from 19-11-1971, to 31-12-1971."

Though item No. 2 of Ext. W3 charge is worded in such a way as to indicate that Shri George had misappropriated the goods it is not even attempted to show that he had actually appropriated the goods. What is attempted to be shown is that there was deficiency generally in terms of the

value of the goods entrusted when the stock was verified on 30-6-1971. As already mentioned the value of the stock entrusted is considered as the liability against which credit is given whenever money from the sale proceeds is remitted. At the time of the stock verification the deficiency, if any, is treated as the liability of the concerned Manager. To substantiate the allegation of misappropriation of goods as such it must be shown that the goods were appropriated in some manner. Deficiency in stock can occur for various reasons. The fact that there was such deficiency does not mean that the goods were misappropriated. It may be that the goods were sold but not accounted. Then what is misappropriated is not the goods but the money. The change in the wording employed in the other charge is also significant. There the term "misappropriation" is not employed. The only allegation there is that there was deficiency. So we need only see whether there was deficiency in stock for which Shri George could be held liable. I am not forgetting the fact that the Society has a contention that Shri George had fabricated the accounts. But that contention remains without any proof whatsoever. It was not even attempted to be shown that there was any sort of fabrication of accounts. That means that that contention had been given up by the Society.

10. I shall first deal with the allegation concerning Erayilkadavu Branch contained in Ext. W3. It is the admitted case that there was a stock verification in that Branch on 30-6-1971. At the verification a stock list is prepared by the verification officer. The stock list concerning the verification held on 30-6-1971 is not produced. Exts. M15 and M16 are stock verification lists concerning that Branch for the verifications conducted on 31-12-1970 and 30-6-1970 respectively. We are not concerned with those verifications as there is no charge concerning the deficiencies noticed in those verifications. It is also unnecessary to refer in detail to Ext. M8 Liability Register and result of the verification noted therein since it relates to the position as it existed on 30-6-1970. The relevant page is Ext. M8(a). What is material for our purpose is Ext. M9 Liability Register in which the folios relating to Erayilkadavu Branch are pages 9 and 10. Those pages together are Ext. M9(a). The relevant entries relating to credit and debit in Ext. M9(a) have been signed by Shri George. But he had not signed the extract giving the figures concerning the verification held on 30-6-1970. Ext. M9(a) contains three separate statements concerning the position of deficiency in stock detected in the verification held on 30-6-1970. First it is shown as Rs. 1,543.41. That is the figure shown in the charge. A revised statement is also given further down at page 10 where the deficiency is shown as 1,436.41. There is yet a third statement which shows that the actual deficiency is Rs. 402.89. It is not explained as to how there is so much of variations in the three statements. However there is no dispute on the fact that there was a verification and the value of the stock that was available in the Branch on 30-6-1971 was Rs. 5,700.29. The actual stock that should have been present as per statement No. 3 in Ext. M9(a) is Rs. 6,103.18. The balance is shown as deficiency is Rs. 402.89. In statement No. 1 the balance should have been Rs. 7,243.70. But we have a

different figure regarding the stock that should have been present in statement No. 2. The fact that there are so much of deviations in the three statements itself is an indication from which it could be said that deficiency arrived at in Ext. M9(a) could as well be the result of incorrect accounting. The stand taken up by the workman all along right from the explanation submitted by him in Ext. M4 is that there was likelihood of shortage in weight or measure of goods entrusted since they were not actually verified at the time of delivery. He had also a definite contention that all remittances made during the crucial period were not given credit to. The society was directed by me to produce the remittance slips for the relevant period which is 1-1-1971 to 30-6-1971. They are not produced. Instead what is produced is Ext. W9 series which relate to the year 1970. They are no use to us. This is not a case were the workman could have produced the accounts maintained in the Branch regarding remittance. Admittedly Erayilkadavu Branch was closed towards the end of November and the records and other articles taken into custody by the Society. So it is argued on behalf of the workman that the workman is not in a position to substantiate his case that all payments made by him had been credited. The answer of the Society is that Ext. M9(a) Liability Register containing the debits and credits are all signed by the workman and that is sufficient to accept the figure given therein as showing the correct position. But admittedly the Liability Register is maintained in the Head Office of the Society where the Branch Manager is not expected to be present on all days on which credits and debits are made. The workman has given evidence that the liability is signed once in a way without verifying its correctness. That no special sanctity could be attached to the register and the figures given therein is evident from the admitted fact that the Managers are given liberty to scrutinise the records maintained in the Head Office after every verification and to point out the defects, if any. Ext. M11 is a notice issued to Shri George directing him to verify the accounts and explain the deficiency that was noticed in the stock verification held on 31-12-1970. There it was pointed out that there was a dificiency of goods to the value of Rs. 3,363.52. The entry on the reverse of that notice shows that there was substantial mistake and Shri George had to be given credit for a further amount of Rs. 2,330. This is a document produced by the Society themselves. In th se state of affairs the contention that the signatures appearing in the Liability Register is sufficient to fasten the liability on the workman to hold that he had committed misappropriation of goods or its value is not at all acceptable. As regards the position on 30-6-1971 also the contention of Shri George is that he was not given opportunity to verify the accounts with reference to the remittance slips and to point out the defects in the Liability Register. In this context we have to remember that there was a prolonged strike soon after the verification and the Branch was closed immediately after the strike was called for. The accounts of the Branch were also taken into custody by the Society. It is true that he was given an opportunity to verify the accounts. The result of the verification is also mentioned by Shri George in Ext. W5 wherein he had intimated the Society on 19-4-1972 that he was not provided with all the remittance slips.

The relevant remitance slips are not available even now. Branch accounts are also not produced. In these state of affairs it is not possible to conclusively say that the workman had purposely caused deficiency in tbe stock.

11. Even if it is assumed that the deficiency as is noted in Ext. M9 (a) was actually present it cannot be said that it amounts to a misappropriation. A verification of the various other pages of Exts. M8 and M9 indicates that there were similar deficiencies in the case of some other Branches also. It is not the case of the Society that invariably disciplinary proceedings are initiated against the concerned Manager whenever a deficiency is noticed. It is the admitted case tbat recovery proceedings were initiated against Shri George before the concerned Arbitrator of the Co-operative Department for realisation of the deficiency in value of the stock. So there is an effective remedy for realisation of the money and the Management had already resorted to that. It is not known as to why and how Shri George alone was singled out for action. When viewed in this background the allegation of Shri George that he was victimised since he was actively participating in the prolonged strike cannot be discarded as altogether unfounded.

12. The oral evidence on the side of the Society is not of much help to say that Shri George is guilty of the misconduct attributed to him. MWs. 2 and 3 speak only with reference to the documents and therefore their evidence cannot in any way improve the case of the Society. On the other hand WWs. 2 and 3 who were responsible officers of the Society have given evidence that deficiency in goods entrusted to the Branch Managers can occur for various reasons beyond the control of the Managers themselves. WW3 is the present Municipal Chairman of the Kottayam Municipality. He was the founder Secretary of the Society and later became its Public Relations Officer. He has given evidence that there were complaints when he was the Public Relations Officer that the goods delivered from the Central Godown to the Erayilkadavu Branch were not in accordance with the indents in weights and measurements and that he had taken up that matter with the other responsible office bearers of the Society. WW2 who was at one time an Inspector of the Branches of the Society has also given evidence in support of this version. So the explanation offered by the workman that the deficiency can be due to reasons beyond his control is also established.

13. All what is said about the Erayilkadavu Branch applies with equal force with reference to the deficiency relating to Manikunnam Branch and the Liability Register Ext. M10 in which the relevant folios are Exts. M10(a) and M10(b). There also the workman cannot be held guilty of a misconduct for the deficiency noted.

14. It may be true that the Branch Manager is personally liable for the goods entrusted to him. He may have to account for the same. But if there is deficiency the same can be realised from him. To say that he is liable for punishment for that deficiency as baving committed a misconduct especially when there is no fabrication of accounts or indication to say that he has committed misappropriation is most uncharitable. So I have no hesitation to say that the workman cannot be held guilty of any misconducts.

If it is assumed that there were deficiencies in the stock the Society may be at liberty to take appropriate action for realisation of the money. Now the position is that the workman is not guilty of the main misconducts attributed to him. It goes without saying that the subsidiary items of misconducts cannot be sustained since the substantial allegations cannot be treated as basis for a misconduct. So I hold that the workman is not guilty of any of the charges attributed to him.

15. Now remains the question as to what relief the workman is entitled to. The Society had attempted to show that the workman was profitably employed elsewhere after his dismissal. It is spoken to by MW2 that be was employed as a Salesman in Mayfair Cold Storage and Jaya Stores. The workman had emphatically denied this suggestion. WW3 is the Proprietor of Jaya Stores. He had given evidence that he had never employed Shri George under him. He has also stated that Mayfair Cold Storage is adjacent to bis shop and Shri George to his knowledge was not employed there also. The credibility of WW3 who is the present Municipal Chairman, is not challenged by the Society. In fact the Society had also included WW3 as a witness in the list filed by them. The workman examined WW3 only because the Management had given up him. In these state of affairs the case of the Society that the workman was profitably employed elsewhere cannot be accepted.

16. A workman who is found not guilty is normally entitled to reinstatement with all benefits. But the Society has a contention that it has lost confidence in the workman and therefore he is not liable to be reinstated. A mere plea of loss of confidence when it is found that there was no basis for the action cannot come to the rescue of the Society as it is easy to advance such a plea in all cases. The Society is a large establishment where there is a systematic activity with effective machinery for adequate checks of the actions of the subordinates. There are no indications in evidence from which it could be said that the workman had any dishonest intentions in his dealings. So there is no justification for the apprehension of the Society that the workman is not worthy of credit or confidence. So this plea of the Society cannot be accepted. The workman is entitled to reinstatement with continuity of service.

17. Regarding back wages the Society has a case that it was incurring substantial loss ever since it was formed and therefore it cannot be moulded with liability for back wages even if reinstatement is ordered. It was also argued that there was inordinate delay in making the reference for which the Society is not answerable. But the workman is equally innocent for the delay. This is a case where the workman was dismissed on reasons which are found unsustainable. He was not profitably employed elsewhere. There was no delay on bis part in raising his claim. On the other hand he was seriously pursuing his remedies under various authorities and courts. In these state of affairs the financial difficulty of the Society cannot be projected as a sufficient circumstance to deny the workman his legitimate right to have the back wages awarded. So the workman is to be paid his back wages also.

18. Another argument is that many of the Branches of the Society have since been closed down and therefore it is not feasible to employ him as a Branch Manager. The Society admittedly is a big establishment and the workman can be provided employment elsewhere in a position corresponding to the grade and the position held by him. The workman cannot insist in the circumstances of this case that he should be posted as a Branch Manager.

19. In the result an award is passed setting aside the dismissal of Shri George and directing the Society to reinstate him as indicated earlier.

Ernakulam,
16-12-1983.

N. SUKUMARAN,
Presiding Officer.

Appendix

Witnesses examined on the Management's side:

MW1. Shri Zacharia Koshy
MW2. ,, Antony
MW3. ,, Aravindakshan.

Witnesses examined on the Workman's side:

WW1. Shri V. P. George.
WW2. ,, Philip Mathew.
WW3. ,, K. A. Ayyappan Pillai.

Exhibits marked on the Management's side:

Ext. M1. Enquiry proceedings papers.
,, M1(a). Findings of the Enquiry Officer dated 20-6-1972.
,, M1(b). Copy of the suspension order dated 7-1-1972 issued to Shri V. P. George.
,, M1(c). Copy of the dismissal order dated 9-8-1972 issued to Shri V. P. George.
,, M1(d). Supplementary charges levelled against Shri George on 20-4-1972.
,, M2. A communication dated 30-7-1971 from Shri George to the Management.
,, M3. A communication dated 11-8-1971 from Shri George to the Management.
,, M4. Explanation to Shri George dated 10-11-1971.
,, M5. A communication dated 26-1-1972 from Shri George to the Management.
,, M6. Application dated 16-5-1972 of Shri George to adjourn the domestic enquiry.
,, M7. Do. Do. dated 30-5-1972.
,, M8. Liability Register of Erayilkadavu Branch from July 1970.

,, M8(a). Page 11 of Ext. M8.

,, M9. Liability Register of Erayilkadavu Branch from January 1971.

,, M9(a). Page 10 of Ext. M9.

,, M10. Liability Register of Branches including Manikunnam from November 1971.

,, M10(a). Page No. 33 of Ext. M10.

,, M10(b). Page No. 34 of Ext. M10.

,, M11. Stock verification statement memo dated 28-1-1971.

,, M12. Explanation of Shri George dated 9-1-1972.

,, M13. Explanation of Shri George dated 13-11-1971.

,, M14. Copy of a memo dated 21-1-1972 issued to Shri George.

,, M15. Stock verification list of Erayilkadavu Branch held on 31-12-1970.

,, M16. Stock verification list of Erayilkadavu Branch held on 30-6-1970.

,, M17. Stock verification list of Manikunnam Branch held on 31-12-1971.

Exhibits marked on the Workman's side:

Ext. W1. Gopy of a letter dated 14-4-1972 from Shri George to the Enquiry Officer.

,, W2. A memo dated 20-4-1972 from the Management to Shri George.

,, W3. Charge memo dated 9-12-1971 issued to Shri George.

,, W4. Copy of the explanation of Shri George dated 13-11-1971.

,, W5. Copy of a communication dated 19-4-1972 from Shri George to the Management requesting certain records.

,, W6. Supplementary charges levelled against Shri George dated 20-4-1972.

,, W7. A memo dated 26-11-1971 issued by the Management.

,, W8. Copy of a communication of Shri George dated 30-11-1971.

,, W9(series). Remittance slips of Erayilkadavu Branch from July 1970.

ANNEXURE

In the Labour Court, Ernakulam

Wednesday, the 9th day of February, 1983

Present:

SHRI N. SUKUMARAN, B. SC., B. L.,

Presiding Officer

INDUSTRIAL DISPUTE No. 304/1979

Between

The President, Kottayam Wholesale Co-operative Consumer's Stores Limited No. K. 162, Kottayam-1.

And

The Workman Shri V. P. George, Pakkathukunnel House, Muttambalam, Kottayam.

Representations:-

Shri Thomas Rajan, Advocate, Kottayam.	For *Management*
Shri Thomas John, Advocate, Cochin-12.	For *Workman*

PRELIMINARY ORDER

Shri. V. P, George was the Manager of Erayilkadavu Branch of Kottayam Wholesale Co-operative Consumers Stores Limited No. K. 162 (herenafter referred to as the Society). While so disciplinary proceedings were initiated against him on the allegation that there was deficiency in the stock entrusted to him. Initially he was asked to explain the deficiency to which he did not submit an explanation in time. So Ext. W3 charge dated 9-12-1971 attribuing the following three items of misconducts was served on him:-

i) That Sri George disobeyed the officer orders by not submitting reply to the repeated reminders of this office.

ii) That Sri George misappropriated the stock of goods entrusted to him for selling to the customers. Sri George misappropriated goods worth Rs. 1,54341 in the year 1970-71.

iii) That Sri. George showed branch of trust in handling the stock of goods entrusted to him, thereby he failed to discharge his duties as a responsible and devoted servant of the Store.

MW1, an Advocate practising at the Kottayam Bar was appointed as the Enquiry Officer. Shri George appeared at the first sitting held by MW1 on 14-4-1972 and requested for an adjournment of the enquiry to another date. He also wanted permission to peruse the records. The Enquiry Officer after

recording the place of Shri George that he is not guilty adjourned the enquiry to 20-4-1972 directing the Management Society to allow Shri George to verify the relevant records in the meanwhile. The next posting was to 9-5-1972 on which day Shri Balakrishnan Nair, the Asst. Secretary of the Society, was examined in chief in part. The examination could not be continued as the witness had some inconvenience and therefore the enquiry was postponed to 16-5-1972. On 16-5-1972 Shri George applied for an adjournment which was granted and the case was posted to 30-5-1972. He again applied on 30-5- 1972 and the enquiry was adjourned to 9-6-1972, a date of Shri George's own choice. On that day he did not appear and therefore the enquiry was proceeded in his absence. The examination of Shri Balakrishnan Nair was completed and the case taken up for orders. MW1 gave his findings Ext. Ml (a) on 20-6-1972 wherein it was held that Shri Geore was guilty of as many as six items of misconducts. The dismissal followed on the basis of those findings.

2. The workman in his claim statement attacks the domestic enquiry as one held in violation of all principles of natural Justice. His complaints are that necessary documents were not produced by the Management and that enquiry into certain additional charges was also made by the Enquiry Officer without giving him an opportunity to explain his position. According to him the findings of the Enquiry Officer are perverse and the dismissal cannot be sustained. He who is innocent is entitled to the relief of reinstatement with all benefits.

3. The Management in its written statement defends its. action by saying that the workman was really guilty of the misconducts attributed to him and that those misconducts were properly proved in the domestic enquiry. The workman who had participated in the enquiry in the initial stages withdrew from it without any reason. He did not attempt to establish his innocence at the enquiry. The evidence at the enquiry was sufficient to come to the reasonable conclusion of guilt rendered by the Enquiry Officer. They are proper and the misconducts proved are grave enough to award the punishment of dismissal. There are no reasons what so ever to interfere with that punishment or to grant any reliefs to the workman.

4. The validity of the domestic enquiry was taken up for consideration as a preliminary issue in view of the rival contentions on that aspect. The Enquiry Officer has proved Ext. Ml as the file containing the relevant documents in connection with the domestic enquiry. The finding of the Enquiry Officer is Ext. Ml (a). The workman gave evidence as WW1. He had also proved Exts. W1 to W8 on his side. Some more documents were proved by the Management through WW1 and they are Exts. M2 to M7.

5. The enquiry was already mentioned was completed in the absence of the workman as he withdrew after participating at the early stage. It is argued that the workman was justifying is not Participating in the enqulry at the subsequent stages. The reason stated is that he was not permitted to

peruse all the records. But there is no justification for such a complaint. On the very first occasion the Enquiry Officer had granted the workman's request to have an opportunity to peruse the records. The Society was directed to give the workman the necessary facility to peruse the records. When the enquiry resumed the workman participated without raising any complaint. There were subsequent adjournments on the workman's requests and finally he disappeared from the scene. So it cannot legitimately be complained that the Enquiry was proceeded in his absence without justifiable reasons. The proceedings were held exparte on a day to which the case was posted as suggested by the workman. On that day he absented himself without giving any intimation whatsoever. So MW1 was justified in proceeding exparte.

6. Another complaint is that the Enquiry Officer enquired into certain charges in addition to those that were referred to him at the earlier stages without giving the workman an opportunity to explain his position. I have already extracted the three items of misconducts attributed to Shri George in Ext. W3, the first charge. Though there were only three items in Ext. W3 the Enquiry Officer is seen to have included four items of misconducts in the proceedings recorded for the first sitting. But there is a duplication as items No.2 and 4 are practically the same. In effect no fresh charge was incorporated by the Enquiry Officer. The workman was asked on that day as to whether he is pleading guilty or not. He pleaded not guilty. But on 20-4-1972 the Management issued an additional charge sheet containing two more items of misconduct and that is Ext. W6. In Ext. M1 (a) the Enquiry Officer is seen to have found Shri George guilty of those two additional items of misconducts as well. But at no point of time the Enquiry Officer had brought these items of misconducts to the notice of Shri George. He was not told that the Enquiry Officer is enquiring into those charges also. The records did not reveal that Shri George was asked as to whether he is pleading guilty or not of those charges. This is a serious irregularity which vitiates the entire proceedings.

7. Another complaint is that proper evidence was not adduced. This complaint is also not without force. The main allegation is that Shri George committed misappropriation of stock entrusted to him. Relevant records to show that there was such a misappropriation were not produced before the Enquiry Officer. The only witness examined at the enquiry was Shri Balakrishnan Nair through whom Exts. P9 and P10 at the enquiry were marked as substantive evidence. Those are statements said to have been given by other persons concerning the matter in issue. Admitting the statements as substantive evidence without examining the persons who gave them is not a proper procedure. In effect there is nothing on record to show that the misappropriation was actually committed. The relevant stock registers, stock lists etc., were not produced. In the absence of such material documents it is impossible to say that there was actual misappropriation. So the findings of the Enquiry Officer are also perverse. In these state of affairs it has to be said that there was no proper enquiry. I have no hesitation to say so.

8. In the result it is found that there was no proper and valid domestic enquiry. The Management no doubt will be at liberty to adduce fresh evidence if so advised. The workman certainly will have the right to lead counter evidence if the Management opts to adduce fresh evidence.

Dictated to the confidential Assistant, transcribed and typed out by him, corrected by me and declared in open court on this the 9th day of February, 1983.

N. SUKUMARAN,
Presiding Officer.

Kerala Gazette No. 14 dated 3rd April 1984.
PART I

GOVERNMENT OF KERALA

Revenue (B) Department

ERRATUM

No. 75050/B1/83/RD. *Dated, Trivandrum,* 22*nd February* 1984

In the schedule to the Notification No. 7322/B1/83/RD dated the 24th April, 1983 issued under subsection (1) of section 3 of the Kerala Land Acquisition Act, 1961 (21 of 1962) and published as S. R. O. No. 822/83 in Part I of the Kerala Gazette No. 27 dated the 5th July, 1983, under the heading 'Survey No. *for* "T. S. No. 781/1 Pt." *read*' "Ward III Block 16" / T. S. No. 781/1Pt.

Explanatory Note

(This is not part of the notification but is intended to indicate the general purport.)

It is seen that in the published notification mentioned above the words "Ward III Block 16" in the Schedule under the heading 'Survey No.' were omitted. Hence this notification.

1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21) 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം പുറപ്പെടുവിച്ചതും 1963 ജൂലൈ 5-ാം തീയതിയിലെ 27-ാം നമ്പർ കേരള ഗസററിന്റെ 1-ാം ഭാഗത്ത് എസ്. ആർ. ഒ. നമ്പർ 822/83 ആയി പ്രസിദ്ധീകരിച്ചതുമായ 1983 ഏപ്രിൽ 24-ാം തീയതിയിലെ 7322/ബി1/83/ആർഡി. എന്ന നമ്പർ വിജ്ഞാപനത്തിന്റെ പട്ടികയിൽ 'സർവേ നമ്പർ' എന്ന ശീർഷകത്തിനു താഴെയുള്ള "ററി. എസ്. നമ്പർ 781/1പി. ററി." എന്നതിനുപകരം "വാർഡ് III ബ്ലോക്ക് 16" / ററി. എസ്. നമ്പർ 781/1 പി. ററി. എന്നു വായിക്കേണ്ടതാണ്.

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ പൊതു ഉദ്ദേശം സൂചിപ്പിക്കുന്നതിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാകുന്നു.)

മുകളിൽ പറഞ്ഞിട്ടുള്ള വിജ്ഞാപനത്തിന്റെ പട്ടികയിൽ 'സർവേ നമ്പർ' എന്ന ശീർഷകത്തിനു താഴെ "വാർഡ് III ബ്ലോക്ക് 16" എന്ന വാക്കുകൾ വിട്ടുപോയതായി കാണുകയുണ്ടായി. അതുകൊണ്ടാണ് ഈ വിജ്ഞാപനം പുറപ്പെടുവിക്കുന്നത്.

By order of the Governor,
N. M. Samuel,
Deputy Secretary to Government.

G. 319

Kerala Gazette No. 14 dated 3rd April 1984
PART I

GOVERNMENT OF KERALA

Abstract

ESTABLISHMENT—AGRI. INCOMETAX AND SALESTAX DEPARTMENT—SENIORITY LIST OF DEPUTY COMMISSIONERS AND ASSISTANT COMMISSIONERS ON 1-9-1983—PUBLISHED

TAXES (D) DEPARTMENT

G.O. (MS) No. 24/84/TD. *Dated, Trivandrum, 14th February* 1984.

Read:—From the Additional Secretary, Board of Revenue (Taxes) Letter No. C1-44872/83/TX dated 5-9-1983.

ORDER

The appended seniority list of Deputy Commissioners and Assistant Commissioners of the Agrl. Incometax and Salestax Department as on 1-9-1983 is hereby approved. The Additional Secretary, Board of Revenue (Taxes) will circulate the list among the concerned officers for filing omissions and corrections if any to the list.

By order of the Governor,
C J. JOSEPH,
Joint Secretary to Government.

Seniority List of Officers in the cadre of Deputy Commissioners who are now working in the Agrl. Incometax and Salestax Department on 1-9-1983

Sl. No.	Name of Officer	Date of birth	Promoted to the cadre of Deputy Commissioners: As per G.O. Rt. No. and date	Promoted to the cadre of Deputy Commissioners: Date of joining duty in the Dy. Commr cadre	Date from which probation period of one year declared to have completed in the D.C. Cadre	Whether confirmed in the D.C. Cadre: If so, date from which confirmed as D.C.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Y. Sreedharan	17-10-1104 / -6-1929	712/78/TD dated 18-10-1978	23-10-1978FN	23-10-1979FN	1-7-1979
2.	K.J. Paul	15-3-1929	836/78/TD dated 5-12-1978	6-12-1978FN	1-6-1980FN	1-8-1981
3.	C.S. Kesavan	6-10-1928	496/79/TD dated 29-6-1979	30-6-1979AN	18-5-1981FN	1-1-1982
4.	K. Dayanandan	22-8-1105 / -4-1930	103/82/TD dated 11-2-1982	12-2-1982AN	...	...
5.	J. Retnamma	3-9-1105 / -4-1930	363/82/TD dated 9-6-1982	11-6-1982AN	--	--

6.	V.M. Chinnamma	27-1-1104 / -9-1928	538/82/TD dated 8-9-1982	9-9-1982FN	..	..
7.*	K. Samarajan	20-9-1928	703/82/TD dated 19-11-1982	26-11-1982FN	..	..
8.*	P. Sahadevan	16-2-1930	703/82/TD dated 19-11-1982	24-11-1982FN	..	..
9.*	G. Karunakara Panicker	25-6-1105 / -2-1930	10/83/TD dated 4-1-1983	17-1-1983AN	..	..
10.*	M.V. Balakrishna Marar	15-1-1929	201/83/TD dated 11-3-1983	28-3-1983FN	..	..
11.	R. Sankaran Unni	8-11-1928	313/83/TD dated 2-5-1983	9-5-1983FN	..	..
12.	K. Gopinathan	6-6-1931	400/83/TD dated 6-6-1983	22-6-1983FN	..	..
13.	O.M. Narayanan	5-4-1930	453/83/TD dated 22-6-1983	8-7-1983FN	..	..
14.	A.V. Usman Koya	21-12-1928	482/83/TD dated 7-7-1983	25-7-1983FN	..	..

* Remarks—Provisional promotions ordered in respect of items 7 to 10 have been regularised as per G.O. Rt. No. 256/83/TD Dated 2-4-1983.

Seniority List of Assistant Commissioners who are now working in the Agrl. Income-tax and Salestax Department on 1-9-1983

Sl. No.	Name of Officer	Date of birth	Promoted to the cadre of Assistant Commissioner: G.O.Rt. No. and date	Promoted to the cadre of Assistant Commissioner: Date of joining duty as Asst. Commr.	Date from which probation period of one year declared to have completed	Whether confirmed as Assst. Commissioner If so, date from which confirmed as Asst. Commissioner
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	K. Dayanandan*	22-8-1105 / -4-1930	1097/77/TD dated 28-10-1977	5-11-1977FN	5-11-1978FN	1-3-1978
2.	J. Retnamma*	3-9-1105 / -4-1930	63/78/TD dated 2-2-1978	8-2-1978FN	8-2-1979FN	...
3.	V.M. Chinnamma*	27-1-1104 / -9-1928	do.	8-2-1978FN	8-2-1979FN	..
4.	K. Samarajan*	20-9-1928	427/78/TD dated 20-6-1978	25-7-1978FN	22-9-1979FN	..
5.	P. Sahadevan*	16-2-1930	629/78/TD dated 31-8-1978	1-9-1978FN	1-9-1979FN	.

6.	G. Karunakara Panicker*	25-6-1105 / -2-1930	836/78/TD dated 5-12-1978	8-12-1978FN	8-12-1979FN
7.	M.V. Balakrishna Marar*	15-1-1929	836/78/TD dated 5-12-1978	11-12-1978FN	11-12-1979FN
8.	R. Sankaran Unni*	8-11-1928	836/78/TD dated 5-12-1978	8-12-1978FN	8-12-1979FN
9.	K. Gopinathan*	6-6-1931	896/78/TD dated 29-12-1978	5-1-1979FN	5-1-1980FN
10.	O.M. Narayanan*	5-4-1930	494/79/TD dated 28-6-1979	9-7-1979FN	9-7-1980FN
11.	A.V. Usman Koya*	21-12-1928	494/79/TD dated 28-6-1979	3-7-1979FN	3-7-1980FN
12.	P. Krishnan Nair	29-3-1105 / -11-1929	659/79/TD dated 10-9-1979	17-9-1979FN	17-9-1980FN
13.	P. Samuel	-5-1929	659/79/TD dated 10-9-1979	30-9-1979FN	1-10-1980FN
14.	M.K. Venugopalan Nair	3-6-1931	34/80/TD dated 14-1-1980	18-1-1980FN	18-1-1981FN

* O.D. as Deputy Commissioner

(1)	(2)	(3)	(4)	(5)	(6)	(7)
15.	V. Krishnan Unni	21-5-1933	426/80/TD dated 26-6-1980	1-7-1980FN	1-7-1981FN	..
16.	M.S. Sivasankaran Nair	15-6-1929	426/80/TD dated 26-6-1980	4-7-1980FN	4-7-1981FN	—
17.	V.K. Sankarankutty Nair	16-3-1932	426/80/TD dated 26-6-1980	1-7-1980FN	1-7-1981FN	..
18.	K.P. Unnikrishna Poduval	1-9-1933	426/80/TD dated 26-6-1980	1-7-1980FN	1-7-1981FN	..
19.	E.K. Joseph	1-6-1929	426/80/TD dated 26-6-1980	1-7-1980FN	17-7-1981FN	..
20.	P. Gopalakrishnan Nair	7-5-1932	426/80/TD dated 26-6-1980	1-7-1980FN	1-7-1981FN	..
21.	N. Sivaraman	5-9-1928	654/80/TD dated 17-10-1980	29-10-1980FN	29-10-1981FN	..
22.	K. Narayanan	17-2-1931	654/80/TD dated 17-10-1980	24-10-1980FN	24-10-1981FN	..
23.	U. Madhavan Nair	1-7-1931	695/80/TD dated 5-11-1980	15-11-1980FN	15-11-1981FN	

24.	K. Sankaran	15-6-1932	695/80/TD dated 5-11-1980	13-11-1980FN	13-11-1981FN	..
25.	M. Velukutty	29-4-1935	771/80/TD dated 10-12-1980	23-12-1980AN	24-12-1981FN	..
26.	P.P. Nanu	30-10-1934	771/80/TD dated 10-12-1980	24-12-1980FN	24-12-1981FN	..
27.	V.P. Rajaretnam	4-4-1929	15/81/TD dated 12-1-1981	20-1-1981FN	20-1-1982FN	..
28.	P.M. Karunakran	19-1-1933	207/81/TD dated 30-3-1981	9-4-1981FN	9-4-1982FN	..
29.	G. Padmavathy Amma	21-7-1105 / -3-1930	do.	6-4-1981FN	6-4-1982FN	..
30.	K. Kesavan Nambisan	25-9-1932	333/81/TD dated 22-5-1981	8-6-1981FN	8-6-1982FN	..
31.	V.K. Lonappan	15-12-1928	356/81/TD dated 1-6-1981	8-6-1981FN	8-6-1982FN	..
32.	V.K. Sreedharan	19-7-1931	356/81/TD dated 1-6-1981	15-6-1981FN	15-6-1982FN	..
33.	P. Reghunathan Nair	11-8-1929	417/81/TD dated 2-7-1981	28-7-1981FN	28-7-1982FN	..
34.	K.N. Gopinathan Nair	21-5-1105 / -1-1930	469/81/TD dated 29-7-1981	13-8-1981FN	19-9-1982FN	..

(1)	(2)	(3)	(4)	(5)	(6)	(7)
35.	G. Samuel	24-1-1105 / -9-1929	640/81/TD dated 20-10-1981	12-11-1981FN	12-11-1982FN	..
36.	T.V. Varghese	1-6-1105 / -1-1930	do.	30-10-1981AN	..	..
37.	K. Balakrishna Pillai	24-4-1104 / -12-1928	do.	30-10-1981AN	31-10-1982FN	..
38.	C. Saradamma	10-6-1110 / -1-1935	do.	9-11-1981FN	..	..
39.	M.J. Kunjukunjamma	10-12-1105 / -7-1930	do.	9-11-1981FN	9-11-1982FN	..
40.	R. Govinda Pillai	20-7-1104 / -3-1929	do.	2-11-1981FN	25-11-1982FN	..
41.	Y. Mathew	18-2-1930	do.	29-10-1981FN	29-10-1982FN	..
42.	V. Deenamma Varghese	15-8-1105 / -3-1930	695/81/TD dated 16-11-1981	7-12-1981FN	..	..
43.	K.P. Sankaranarayanan	1-7-1929	695/81/TD dated 16-11-1981	7-12-1981FN	..	..
44.	M.T. Abdurahimankutty	4-12-1933	735/81/TD dated 28-11-1981	21-12-1981FN	..	..

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45.	M. Achuthan Nair	1-7-1933	735/81/TD dated 28-11-1981	11-12-1981FN	12-12-1982FN	..
46.	E.J. Kurian	10-5-1930	109/82/TD dated 12-2-1982	8-3-1982AN	..	..
47.	M.V. Sekhara Warrier	15-8-1930	257/82/TD dated 16-4-1982	7-5-1982FN	..	..
48.	P.N. Damodaran Nair	27-2-1104 / -10-1928	257/82/TD dated 16-4-1982	29-4-1982FN	..	..
49.	V. Balakrishnan Nair	10-11-1933	362/82/TD dated 9-6-1982	24-6-1982FN	..	..
50.	V.P. Abdulrahim	1-6-1937	362/82/TD dated 9-6-1982	9-7-1982FN	..	..
51.	K.R. Gopinathan Nair	26-5-1105 / -1-1930	362/82/TD dated 9-6-1982	17-6-1982FN	..	..
52.	M.P. Ravindranatha Pillai	20-11-1104 / -7-1929.	362/82/TD dated 9-6-1982	23-6-1982AN	..	..
53.	T.N. Govindankutty Menon	23-5-1104 / -1-1929	400/82/TD dated 29-6-1982 & regularised G.O. 486/82/TD 13-8-1982	5-7-1982FN	..	..

(1)	(2)	(3)	(4)	(5)	(6)	(7)
54.	P. Velayudhan Nair	27-8-1104 / -4-1929	486/82/TD dated 13-8-1982	28-8-1982FN	..	..
55.	K.K. Gopinathan Nair	18-9-1934	486/82/TD dated 13-8-1982	21-8-1982FN	..	..
56.	P. K. Gopalakrishnan Nambiathiri	21-6-1104 / -2-1929	486/82/TD dated 13-8-1982	24-8-1982FN	..	..
57.	V.R. Madhavan	15-7-1933	486/82/TD dated 13-8-1982	28-8-1982FN	..	..
58.	J. Vasanthi Amma	6-10-1106 / -5-1931	692/82/TD dated 16-11-1982	18-11-1982FN	..	—
59.	M. Ramachandra Karanavar	8-3-1933	692/82/TD dated 16-11-1982	18-11-1982FN	..	..
60.	A. Jackson Rodriguez	8-9-1105 / -4-1930	692/82/TD dated 16-11-1982	18-11-1982FN	—	..
61.	V.M. Mohammed	20-6-1106 / -2-1931	692/82/TD dated 16-11-1982	23-11-1982FN	—	..
62.	C.K. Thanu Pillai	30-10-1937	692/82/TD dated 16-11-1982	18-11-1982FN	—	..

63.	M. Viswambharan	24-6-1934	756/82/TD dated 13-12-1982	23-12-1982FN	..	..
64.	A. Prabhakaran	3-11-1934	756/82/TD dated 13-12-1982	23-12-1982FN	..	..
65.	K. Govinda Pillai	12-1-1938	756/82/TD dated 13-12-1982	23-12-1982FN	..	..
66.	Philip Mathew	30-1-1932	24/83/TD dated 10-1-1983	12-1-1983FN	..	..
67.	P. Gopalakrishna Pillai	21-3-1932	312/83/TD dated 2-5-1983	16-5-1983FN	..	.
68.	C. Velayudhan Nair	1-7-1932	312/83/TD dated 2-5-1983	11-5-1983FN	..	..
69.	N. Kesavankutty Nair	1-8-1932	359/83/TD dated 23-5-1983	16-6-1983FN	..	.
70.	K.R. Pushpangadhan	23-8-1936	359/83/TD dated 23-5-1983	8-6-1983FN	..	..
71.	D. Pavithran	3-1-1111 / -8-1935	429/83/RD dated 15-6-1983	27-6-1983FN	..	..
72.	A. Abdul Salam	17-1-1942	429/83/RD dated 15-6-1983	27-6-1983FN	..	..

(1)	(2)	(3)	(4)	(5)	(6)	(7)
73.	T.K. Rajappan	8-2-1936	429/83/RD dated 15-6-1983	30-6-1983FN	..	..
74.	C.V. Mohammed	31-1-1933	465/83/TD dated 30-6-1983	11-7-1983FN	..	
75.	C.P. Raghavan	20-8-1930	517/83/TD dated 23-7-1983	3-8-1983FN	..	..
76.	P. Ahamed Koya	20-7-1932	517/83/TD dated 23-7-1983	30-7-1983FN	..	..
77.	V.N. Parameswaran Nair	31-3-1935	517/83/TD dated 23-7-1983	29-7-1983FN	..	..
78.	A.M. Bhaskaran	16-8-1105 / -3-1930	564/83/TD dated 9-8-1983	1-9-1983FN	..	..

GOVERNMENT OF KERALA

Law (Legislation-Publication) Department

NOTIFICATION

No. 2262-2/Leg. Pbn. 2/84/Law. *Dated, Trivandrum, 21st February* 1984.

The following Ordinance pro ulgated by the President and published in a Gazette of India Extraordinary, Part II, Section 1, dated the 28th January, 1984, is hereby republished for general information.

By order of the Governor,
K. SREEDHARAN,
Law Secretary.

THE PREVENTION OF DAMAGE TO PUBLIC PROPERTY ORDINANCE, 1984

No. 3 OF 1984

Promulgated by the President in the Thirty-fifth Year of the Republic of India

An Ordinance to provide for prevention of damage to public property and for matters connected therewith.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title, extent and commencement.*—(1) This Ordinance may be called the Prevention of Damage to Public Property Ordinance, 1984.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force at once.

2. *Definitions.*—In this Ordinance, unless the context otherwise requires,—

(a) "mischief" shall have the same meaning as in section 425 of the Indian Penal Code (45 of 1860);

(b) "public property" means any property, whether immovable or movable (including any machinery) which is owned by, or in the possession of or under the control of—

(i) the Central Government; or

(ii) any State Government; or

(iii) any local authority; or

(iv) any corporation established by, or under, a Central, Provincial or State Act; or

(v) any company as defined in section 617 of the Companies Act, 1956 (1 of 1956); or

(vi) any institution, concern or undertaking which the Central Government may, by notification in the Official Gazette, specify in this behalf:

Provided that the Central Government shall not specify any institution, concern or undertaking under this sub-clause unless such institution, concern or undertaking is financed wholly or substantially by funds provided directly or indirectly by the Central Government or by one or more State Governments, or partly by the Central Government and partly by one or more State Governments.

3. *Mischief causing damage to public property.*—(1) Whoever commits mischief by doing any act in respect of any public property, other than public property of the nature referred to in sub-section (2), shall be punished with imprisonment for a term which may extend to five years and with fine.

(2) Whoever commits mischief by doing any act in respect of any public property being—

(a) any building, installation or other property used in connection with the production, distribution or supply of water, light, power or energy;

(b) any oil installations;

(c) any sewage works;

(d) any mine or factory;

(e) any means of public transportation or of tele-communications, or any building, installation or other property used in connection therewith,

shall be punished with rigorous imprisonment for a term which shall not be less than six months, but which may extend to five years and with fine:

Provided that the court may, for reasons to be recorded in its judgment, award a sentence of imprisonment for a term of less than six months.

4. *Mischief causing damage to public property by fire or explosive substance.*—Whoever commits an offence under sub-section (1) or sub-section (2) of section 3 by fire or explosive substance shall be punished with rigorous imprisonment for a term which shall not be less than one year, but which may extend to ten years and with fine:

Provided that the court may, for special reasons to be recorded in its judgment, award a sentence of imprisonment for a term of less than one year.

5. *Special provisions regarding bail.* —No person accused or convicted of an office punishable under section 3 or section 4 shall, if in custody, be released on bail or on his own bond unless the prosecution has been given an opportunity to oppose the application for such release.

6. *Saving.*—The provisions of this Ordinance shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force, and nothing contained in this Ordinance shall exempt any person from any proceeding (whether by way of investigation or otherwise) which might, apart from this Ordinance, be instituted or taken against him.

ZAIL SINGH,
President.

GOVERNMENT OF KERALA

Health (D) Department

NOTIFICATION

No. 29220/D2/83-1/HD. *Dated, Trivandrum, 20th February* 1984.

The following orders S.O. 134 (E), S. O. 135 (E), S O. 136 (E), S.O. 137 (E), S.O. 138 (E) and S. O. 139 (E) dated the 16th February, 1983 of the Government of India, Ministry of Chemicals & Fertilizers, Office of the Development Commissioner (Drugs) published in the Gazette of India, Extraordinary, Part II, Section 3, Subsection (ii) dated the 24th February, 1983 is hereby republished for general information.

By order of the Governor,
M. G. K. MURTHY,
Secretary to Government.

GOVERNMENT OF INDIA

Ministry of Chemicals & Fertilizers

Office of the Development Commissioner (Drugs)

ORDERS

New Delhi, the 16*th February* 1983.

S.O. 134 (E).—In exercise of the powers conferred by sub-paragraph (1) of paragraph 3 of the Drugs (Prices Control) Order, 1979, and in supersession of the Order of the Government of India in the erstwhile Ministry of Petroleum, Chemicals and Fertilizers (Department of Chemicals and Fertilizers) No. 481 (E), dated the 12th June, 1981, the Central Government hereby fixes Rs. 1055.00 per kg. as the maximum sale price at which the Trimethoprim manufactured indigenously shall be sold.

[No. 8 (4)/82-D. II]

S. O. 135 (E).—In exercise of the powers conferred by sub-paragraph (1) of paragraph 3 of the Drugs (Prices Control) Order 1979 and in supersession of erstwhile Ministry of Petroleum, Chemicals and Fertilizers (Department of Chemicals and Fertilizers), Order No. S. O. 472 (E), dated the 17th August, 1979, the Central Government hereby fixes Rs. 390.00 per kg. as the maximum sale price at which Sulphamethoxazole manufactured indigenously shall be sold.

[No. 8 (14)/82-D. II]

S. O. 136 (E).—In exercise of the powers conferred by sub-paragraph (1) of paragraph 3 of the Drugs (Prices Control) Order, 1979, the Central Government hereby fixes Rs. 2415 per kg. as the maximum sale price at which Propanolol Hydrochloride manufactured indigenously shall be sold.

[No. 8/(63)/78-D.II]

S. O. 137 (E).—In exercise of the powers conferred by clause (a) of sub-paragraph (6) of paragraph 13 of the Drugs (Prices Control) Order, 1979, the Central Government hereby makes the following amendments in the Order of the Government of India in the erstwhile Ministry of Petroleum, Chemicals and Fertilizers (Department of Chemicals and Fertilizers) Order No. S. O. 666 (E), dated the 24th August, 1981, namely:—

In the said Order, in the Table, for Serial Nos. 3, 4 and 5 and the entries relating thereto, the following serial numbers and entries shall be substituted namely:—

TABLE

Sl. No.	Name of the formulation	Strength	Pack Size	Leader price (Rs.)
(1)	(2)	(3)	(4)	(5)
"3.	Rifampioin Capsules	150 mg/capsule	4's vial/strip	7.06
4.	Rifampicin Capsules	150 mg/capsule	12's bottle/strip	19.18
5.	Rifampicin Capsules	300 mg/capsule	4' vial/strip	12.98"

[No. 9 (34)/82-D. II]

S. O. 138 (E).—In exercise of the powers conferred by clause (a) of sub-paragraph (6) of paragraph 13 of the Drugs (Prices Control) Order, 1979, and in supersession of the Order of the Government of India in the erstwhile Ministry of Petroleum, Chemicals and Fertilizers (Department of Chemicals and Fertilizers) Order No. S. O. 101 (E), dated the 11th February, 1981, the Central Government hereby fixes the prices as specified in column (5) of the Table below as the leader price exclusive of excise duty and local taxes, if any, of each of the formulation specified in the corresponding entry in column (2) of the said Table with the strength and pack size respectively in the corresponding entries in columns (3) and (4) thereof:—

TABLE

Sl. No·	Name of the formulations	Strength	Pack size	Leader price (Rs.)
(1)	(2)	(3)	(4)	(5)
1.	Cimetidine Tablets	200mg/tablet	10's strip/bottle	10.86
2.	Cimetidine Tablets	200mg/tablet	500's bottle/tip	512.58

[No. 9 (34)/82-D. II]

S. O. 139 (E).—In exercise of the powers conferred by clause (a) of sub-paragraph (6) of paragraph 13 of the Drugs (Prices Control) Order, 1979, the Central Government hereby makes the following amendments in the order of the Government of India in the erstwhile Ministry of Petroleum, Chemicals and. Fertilizers (Department of Chemicals and Fertilizers), No. S. O. 665 (E), dated the 24th August, 1981, namely:—

In the said Order, in the Table, for Serial Nos. 12 and 13 and the entries relating thereto, the following serial numbers and entries shall be substituted, namely:—

TABLE

Sl. No.	Name of the formulation	Strength	Pack size	Leader price (Rs.)
(1)	(2)	3)	(4)	(5)
"12.	Rifampicin Capsules	150 mg/capsule	100's bottle	153.18
13.	Rifampicin Capsules	300 mg/capsule	100's bottle	299.70"

[No. 9 (34)/82-D. II]

(Sd.)

E. N. MURTHY,

Deputy Secretary.

GOVERNMENT OF KERALA
Health (D) Department
NOTIFICATION

No. 29220/D2/83-2/HD. *Dated, Trivandrum, 20th February,* 1984.

The following orders S. O. 166 (E) and S. O. 167 (E) dated the 9th March, 1983 of the Government of India, Ministry of Chemicals and Fertilizers, Office of the Development Commissioner (Drugs) published in the Gazette of India, Extraordinary, Part II, Section 3 subsection (ii) dated the 9th March, 1983 is hereby republished for general information.

By order of the Governor,
M. G. K. Murthy,
Secretary to Government.

Government of India
Ministry of Chemicals and Fertilizers
Office of the Development Commissioner (Drugs)

Order

New Delhi, the 9th March 1983.

S. O. 166 (E).—In exercise of the powers conferred by clause (a) of sub-paragraph (6) of paragraph 13 of the Drugs (Prices Control) Order, 1979 the Central Government hereby makes the following amendments in the Order of the Government of India in the erstwhile Ministry of Petroleum, Chemicals and Fertilizers (Department of Chemicals and Fertilizers) No. S. O. 548 (E) dated the 8th July 1981 namely:—

In the said Order in the Table, for Serial Number 15 and 16 and the entries relating thereto, the following serial numbers and entries shall be substituted, namely:—

Sl. No.	Name of the formulation	Strength	Pack size	Leader Price Rs.
15.	Methyl Dopa Tablets	125 mg/ tablet	10x10's strip	47.66
16.	Methyl Dopa Tablets	500 mg/ tablet	10x10's strip	171.82

[No. 9(4)/83-Drug-II]

S. O. 167(E).—In exercise of the power conferred by clause (a) of sub-paragraph (6) of paragraph 13 of the Drugs (Prices Control) Order, 1979, the Central Government hereby makes the following amendments in the Order of the Government of India in the erstwhile Ministry of Petroleum, Chemicals and Fertilizers (Deptt. of Chemicals and Fertilizers) No. S. O. 312 (E) dated 21st April, 1981, namely:—

In the said Order, in the Table, for Serial No. 40 and the entries relating thereto, the following serial number and entries shall be substituted, namely:—

Sl. No.	Name of the formulation	Strength	Pack size	Leader Price Rs.
"40.	Methyl Dopa Tablets	250 mg per tablet	10x10's strip	87.94"

[No. 9(4)/83-Drug-II]

(Sd.)

E. N. MURTHY,

Deputy Secretary.

GOVERNMENT OF KERALA

Health (D) Department

NOTIFICATION

No. 29220/D2/83-3/HD. *Dated, Trivandrum, 20th February* 1984.

The following order S. O. 156(E) dated the 28th February, 1983 of the Government of India, Ministry of Chemicals and Fertilizers, Office of the Development Commissioner (Drugs) published in the Gazette of India, Extraordinary, Part II-Section 3-Subsection (ii) dated the 2nd March, 1983 is hereby republished for general information.

M. G. K. Murthy,
Secretary to Government

Government of India

Ministry of Chemicals and Fertilizers

[Office of the Development Commissioner (Drugs)]

ORDER

New Delhi, the 28th February, 1983.

S. O. 156 (E).—In exercise of the powers conferred by clause (a) of sub-paragraph (6) of paragraph 13 of the Drugs (Prices Control) Order, 1979, the Central Government hereby make the following amendment in the Order of the Government of India in the erstwhile Ministry of Petroleum, Chemicals and Fertilizers (Department of Chemicals and Fertilizers), Office of the Development Commissioner (Drugs), No. S. O. 427(E) dated the 19th June, 1982, namely :—

In the Table to the said Order, against serial number 11, under column 4, for the figures, letters and word "540 mg. bottle" the figures, letters and word "540ml. bottle" shall be substituted.

[No. 9(21)/81-D. II]
(Sd.)
E. N. Murthy,
Deputy Secretary.

Note :—This is the first amendment to the principal Order No. S. O. 427 (E) dated the 19th June, 1982.

GOVERNMENT OF KERALA

Health (D) Department

NOTIFICATION

No. 29220/D2/83-4/HD. *Dated, Trivandrum, 20th February* 1984.

The following Notification No. S. O. 186(E) dated the 10th March, 1983 of the Government of India, Ministry of Chemicals and Fertilizers, Office of the Development Commissioner (Drugs) published in the gazette of India, Extraordinary, Part II—Section 3—Subsection (ii) dated the 19th March, 1983 is hereby republished for general information.

By order of the Governor,
M. G. K. Murthy,
Secretary to Government.

Government of India

Ministry of Chemicals and Fertilizers

[Office of the Development Commissioner (Drugs)]

New Delhi, the 10*th March*, 1983.

Notification

S. O. 186(E).—In exercise of the powers conferred by clause (a) of sub-paragraph (6) of paragraph 13 of the Drugs (Prices Control) Order, 1979, the Central Government hereby fixed the prices as specified in column (5) of the Table below, as the leader prices exclusive of excise duty and local taxes,

if any, of each of the formulations specified in corresponding entry in column (2) of the said table with the strength and pack size mentioned respectively, in the corresponding entries in columns (3) and (4) thereof :—

TABLE

Sl. No.	Name of tbe Formulation	Strength	Pack size	Leader Price Rs.
(1)	(2)	(3)	(4)	(5)
1	Trimethoprim + Sulphamethoxazole Tablets	Trimethoprim 80 mg. Sulphamethoxazole 400 mg./tablet	10 x 10's strip	61.20
2	Trimethoprim + Sulphamethoxazole Paed. Tablets	Trimethoprim 20 mg. Sulphamethoxazole 100 mg./tablet	do.	20.22
3	Trimethoprim + Sulphamethoxazole Paed. Suspension	Trimethoprim 40 mg. Sulphamethoxazole 200 mg./5ml.	50 ml. bottle	6.78
4	Trimethoprim + Sulphametboxazole Paed. Suspension	Trimethoprim 40 mg. Sulphametboxazole 200 mg./5ml.	100 ml. bottle	11.46

[No. 9(8)/83-Drug-II]

(Sd.)

E. N. MURTHY,

Deputy Secretary.

കേരള സർക്കാർ

നിയമ (നിയമ നിർമ്മാണം-എ) വകുപ്പ്

വിജ്ഞാപനം

നമ്പർ 19277/ലെജ്. (എ) 2/83/ലാ. തിരുവനന്തപുരം, 1984 ജനുവരി 7.
1905 പൗഷം 17.

കേരള സംസ്ഥാന നിയമസഭയുടെ താഴെ പറയുന്ന ആക്റ്റ് പൊതുജനങ്ങളുടെ അറിവിനായി ഇതിനാൽ പ്രസിദ്ധപ്പെടുത്തുന്നു. നിയമസഭ പാസ്സാക്കിയ പ്രകാരമുള്ള ബില്ലിന് 1984 ജനുവരി 5-ാം തീയതി പ്രസിഡൻറിൻെറ അനുമതി ലഭിച്ചു.

ഗവർണ്ണറുടെ ഉത്തരവു പ്രകാരം,
പി. പി. മത്തായി,
നിയമ വകുപ്പ് സ്പെഷ്യൽ സെക്രട്ടറി.

1984-ലെ 4-ാം ആക്റ്റ്

1983-ലെ കേരള പബ്ലിക് സർവ്വീസ് (ഭേദഗതി) ആക്റ്റ്

1968-ലെ കേരള പബ്ലിക് സർവ്വീസ് ആക്റ്റ് വീണ്ടും ഭേദഗതി ചെയ്യുന്നതിനുള്ള ഒരു ആക്റ്റ്.

പീഠിക.—1968-ലെ കേരള പബ്ലിക് സർവ്വീസ് ആക്റ്റ്, താഴെ കാണുന്ന ആവശ്യങ്ങൾക്കായി വീണ്ടും ഭേദഗതി ചെയ്യേണ്ടത് യുക്തമായിരിക്കയാൽ;

ഇൻഡ്യൻ റിപ്പബ്ലിക്കിൻെറ മുപ്പത്തിനാലാം സംവൽസരത്തിൽ താഴെ പറയും പ്രകാരം നിയമമുണ്ടാക്കുന്നു:—

1. ചുരുക്കപ്പേരും പ്രാരംഭവും.—(1) ഈ ആക്റ്റിന്, 1983-ലെ കേരള പബ്ലിക് സർവ്വീസ് (ഭേദഗതി) ആക്റ്റ് എന്നു പേർ പറയാം.

(2) ഇത് 1981 ഒക്ടോബർ 1-ാം തീയതി പ്രാബല്യത്തിൽ വന്നതായി കരുതേണ്ടതാണ്.

2. പുതിയ 4-ാം വകുപ്പു ചേർക്കൽ.—1968-ലെ കേരള പബ്ലിക് സർവ്വീസ് ആക്റ്റിൽ (1968-ലെ 19) (ഇതിനുശേഷം പ്രധാന ആക്റ്റ് എന്നാണ് പരാമർശിക്കപ്പെടുക), 3-ാം വകുപ്പിനുശേഷം, താഴെ പറയുന്ന വകുപ്പ് ചേർക്കേണ്ടതാണ്;

അതായത്:—

"4. വ്യവസായത്തർക്ക ആക്ററിലോ അല്ലെങ്കിൽ മറേറതെങ്കിലും നിയമത്തിലോ എന്തുതന്നെ അടങ്ങിയിരുന്നാലും ചില വ്യക്തികൾക്ക് ആക്ററും അതിൻകീഴിലുള്ള ചട്ടങ്ങളും ബാധകമായിരിക്കുമെന്ന്.—1947-ലെ വ്യവസായത്തർക്ക ആക്ററിലെ (1947-ലെ 14-ാം കേന്ദ്ര ആക്ററ്) V എ എന്ന അദ്ധ്യായത്തിലേ, അല്ലെങ്കിൽ തൽസമയം നിലവിലുള്ള മറേറതെങ്കിലും നിയമത്തിലോ; അല്ലെങ്കിൽ ഏതെങ്കിലും കോടതിയുടെ ഏതെങ്കിലും വിധിന്യായത്തിലോ, ഡിക്രിയിലോ അഥവാ ഉത്തരവിലോ എന്തുതന്നെ അടങ്ങിയിരുന്നാലും, കേരള സംസ്ഥാനത്തെ കാര്യാദികളുമായി ബന്ധപ്പെട്ട ഏതെങ്കിലും പബ്ലിക് സർവ്വീസിലോ അല്ലെങ്കിൽ ഉദ്യോഗത്തിലോ ഉള്ള ഏതൊരാളിന്റെയും നിയമനവും അപ്രകാരമുള്ള ഏതെങ്കിലും സർവ്വീസിലോ അല്ലെങ്കിൽ ഉദ്യോഗത്തിലോ നിയമിക്കപ്പെടുന്ന ഏതൊരാളിന്റേയും (സേവനം അവസാനിപ്പിക്കുന്നതുൾപ്പെടെ) സേവന വ്യവസ്ഥകളും, ഈ ആക്ററിന്റെയും അതിൻ കീഴിൽ ഉണ്ടാക്കിയതോ അല്ലെങ്കിൽ ഉണ്ടാക്കിയതായി കരുതപ്പെടുന്നതോ ആയ ചട്ടങ്ങളിലേയും വ്യവസ്ഥകളാൽ നിയന്ത്രിക്കപ്പെടുന്നതാണ്.".

3. റദ്ദാക്കലും ഒഴിവാക്കലും.—1983-ലെ കേരള പബ്ലിക് സർവ്വീസ് (ഭേദഗതി) ഓർഡിനൻസ് (1983-ലെ 36), ഇതിനാൽ റദ്ദാക്കിയിരിക്കുന്നു.

(2) അങ്ങനെ റദ്ദാക്കിയിരുന്നാൽതന്നെയും, പ്രസ്തുത ഓർഡിനൻസു മൂലം ഭേദഗതി ചെയ്ത പ്രകാരമുള്ള പ്രധാന ആക്ററ് പ്രകാരം ചെയ്തതോ ചെയ്തതായി കരുതപ്പെടുന്നതോ ആയ ഏതു സംഗതിയും, അല്ലെങ്കിൽ എടുത്തതോ എടുത്തതായി കരുതപ്പെടുന്നതോ ആയ ഏതു നടപടിയും ഈ ആക്ററുമൂലം ഭേദഗതി ചെയ്ത പ്രകാരമുള്ള പ്രധാന ആക്ററ് പ്രകാരം ചെയ്തതായോ അല്ലെങ്കിൽ എടുത്തതായോ കരുതേണ്ടതാണ്.

(ശരി തർജ്ജിമ)

എ. പി. പെരുമാൾ,
നിയമ വകുപ്പ്
അഡീഷണൽ സെക്രട്ടറി.

Kerala Gazette No. 14 dated 3rd April 1984.
PART I

Section iii

കേരള സർക്കാർ

നിയമ (നിയമ നിർമ്മാണം-ബി) വകുപ്പ്

വിജ്ഞാപനം

നമ്പർ 19536/ലെഗ്. ബി 2/83/ലാ.   തിരുവനന്തപുരം, 1983 നവംബർ 23.
1905 ആഗ്രഹായനം 2.

1983 നവംബർ 23-ാം തീയതി ഗവർണ്ണർ വിളംബരപ്പെടുത്തിയ താഴെപ്പറയുന്ന ഓർഡിനൻസ് പൊതുജനങ്ങളുടെ അറിവിനായി ഇതിനാൽ പ്രസിദ്ധീകരിക്കുന്നു.

ഗവർണ്ണറുടെ ഉത്തരവുപ്രകാരം,
കെ. വിശ്വനാഥൻ നായർ,
നിയമവകുപ്പ് സെക്രട്ടറി.

1983-ലെ 41-ാം നമ്പർ ഓർഡിനൻസ്

1983-ലെ കേരള ടോൾ (ഭേദഗതി) ഓർഡിനൻസ്

ഇൻഡ്യൻ റിപ്പബ്ലിക്കിന്റെ മുപ്പത്തിനാലാം സംവൽസരത്തിൽ കേരള ഗവർണ്ണർ വിളംബരപ്പെടുത്തിയത്.

1976-ലെ കേരള ടോൾ ആക്റ്റ് ഭേദഗതി ചെയ്യുന്നതിനുള്ള ഒരു ഓർഡിനൻസ്.

പീഠിക.—കേരള സംസ്ഥാന നിയമസഭാ സമ്മേളനത്തിലല്ലാത്തതിനാലും സത്വരനടപടികൾ എടുക്കേണ്ട സാഹചര്യങ്ങൾ നിലവിലുണ്ടെന്ന് കേരള ഗവർണ്ണർക്ക് ബോദ്ധ്യം വന്നിരിക്കുന്നതിനാലും;

ഇപ്പോൾ, അതിനാൽ, ഇൻഡ്യൻ ഭരണ ഘടനയുടെ 213-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡം മൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച്, കേരള ഗവർണ്ണർ താഴെ പറയുന്ന ഓർഡിനൻസ്, വിളമ്പരപ്പെടുത്തുന്നു:—

1. ചുരുക്കപ്പേരും, പ്രാരംഭവും.—(1) ഈ ഓർഡിനൻസിന് 1983-ലെ കേരള ടോൾ (ഭേദഗതി) ഓർഡിനൻസ് എന്നു പേർ പറയാം.

(2) ഇത് ഉടൻ തന്നെ പ്രാബല്യത്തിൽ വരുന്നതാണ്.

2. 1977-ലെ 6-ാം ആക്റ്റ് താൽക്കാലികമായി ഭേദഗതി ചെയ്യണമെന്ന്.—

ഈ ഓർഡിനൻസ് പ്രാബല്യത്തിലിരിക്കുന്ന കാലയളവിൽ, 1976-ലെ കേരള ടോാം ആക്റ്റിന് (1977-ലെ 6) (ഇതിനു ശേഷം പ്രധാന ആക്റ്റ് എന്നാണ് പരാമർശിക്കപ്പെടുക) 3-ാം വകുപ്പിൽ പ്രത്യേകം പറഞ്ഞിട്ടുള്ള ഭേദഗതികൾക്ക് വിധേയമായി പ്രാബല്യമുണ്ടായിരിക്കുന്നതാണ്.

3. 3-ാം വകുപ്പിന്റെ ഭേദഗതി.—പ്രധാന ആക്റ്റ് 3-ാം വകുപ്പിൽ, (1)-ാം ഉപവകുപ്പിനോട് താഴെപ്പറയുന്ന ക്ലിപ്ത നിബന്ധന ചേർക്കേണ്ടതാണ് അതായത്:—

"എന്നാൽ അങ്ങനെ ചെയ്യുന്നത് പൊതുജനതാൽപ്പര്യത്തിന് ആവശ്യമാണെന്ന് സർക്കാരിന് അഭിപ്രായമുള്ള പക്ഷം, അവർക്ക്, ഗസററിൽ വിജ്ഞാപനം മൂലം, ഏതെങ്കിലും പാലത്തെ സംബന്ധിച്ച് ഈ ഉപവകുപ്പു പ്രകാരം യാതൊരു ടോളും ചുമത്താവുന്നതല്ലെന്ന് പ്രത്യേകം പറയാവുന്നതാണ്."

പി. രാമചന്ദ്രൻ,
ഗവർണ്ണർ.

(ശരിത്തർജമ)

എ. പി. പെരുമാൾ,
നിയമവകുപ്പ് അഡീഷണൽ സെക്രട്ടറി.



GOVERNMENT OF KERALA

Abstract

KERALA CIVIL SERVICES (CLASSIFICATION, CONTROL AND APPEAL) RULES, 1960—NOTIFICATIONS UNDER RULE 10 (1) AND 13 (1) PROVISO—ORDERS ISSUED

GENERAL ADMINISTRATION (POLITICAL B) DEPARTMENT

G O Ms. No. 82/84/GAD. Dated, Trivandrum, 15th March 1984.

NOTIFICATIONS

I

S.R.O. No. 328/84.—Under the fourth proviso to sub-rule (1) of Rule 13 of the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960, the Government of Kerala hereby delegate to the Special Representative to Government of Kerala, New Delhi the power to impose the penalities of

(a) censure,

(b) withholding of increments,

(c) recovery from pay of the whole or part of any pecuniary loss caused to a State or the Central Government or to a local authority by negligence or breach of orders, and

(d) recovery from pay to the extent necessary of the monetary value equivalent to the amount of increments ordered to be withheld where such an order cannot be given effect to,

on any member of the staff of the Kerala House, New Delhi subject to the conditions that—

(1) from the orders passed by the Special Representative a revision shall lie to Government, and

(2) the delegation shall not enable the Special Representative to impose the punishment of recovery from pay in cases where he is not competent to impose the said penalty on any member of a subordinate service working under him.

II

S.R.O No. 329/84.—Under sub-rule (i) of Rule 10 of the Kerala Civil Services (Classification Control and Appeal) Rules, 1960 Government of Kerala hereby empower the Special Representative to Government of Kerala, New Delhi to place under suspension any of the members of the staff working in the Kerala House, New Delhi.

(a) where a disciplinary proceedings against him is contemplated or is pending; or

(b) where a case against him in respect of any criminal offence is under investigation or trial; or

(c) where final orders are pending in the disciplinary proceedings, if the Special Representative considers that in then prevailing circumstances it is necessary, in the public interest, that the Government Servant should be suspended from service.

By order of the Governor,
M. DANDAPANI,
Commissioner and Secretary to Government.

Explanatory Note

(This note is not part of the notification, but is intended to indicate its general purport).

The Administrative Control of Kerala House, New Delhi vests with the Director, Department of Tourism. Since the Director, Department of Tourism is stationed away at Trivandrum it may not be expedient on him to exercise proper control over the staff working in Kerala House, New Delhi. Government therefore consider it necessary that the Special Representative to Government of Kerala who is a senior officer stationed at New Delhi be delegated with certain disciplinary powers in respect of the staff working in Kerala House, New Delhi also for the effective and smooth functioning of the offices there. This notification is intended to achieve the above object.

To

The Director, Department of Tourism, Trivandrum
The Special Representative to Government of Kerala, Kerala House, New Delhi
The Controller, Kerala House, New Delhi
The Accountant General, Kerala, Trivandrum
The General Administration (Services B & C) Departments
The General Administration (SC) Department-vide decision on item No. 1641 dated 16-2-1984
The Secretary to Chief Minister
The Private Secretary to Minister (Health)
The Under Secretary to Chief Secretary
The C.A. to Commissioner and Secretary (GAD)

GOVERNMENT OF KERALA

Home (C) Department

NOTIFICATION

G.O. Rt. No. 638/84/Home. *Dated, Trivandrum, 7th March* 1984.

S.R.O. No. 330/84.—In exercise of the powers conferred by sub-section (8 of section 24 of the Code of Criminal Procedure, 1973 (Central Act of 1974) the Government of Kerala hereby appoint the following persons as Special Public Prosecutors to appear before the High Court of Kerala on behalf of the State on all matters arising from the decisions of the Special Court of the Judicial Magistrate of the First Class established under notification G. O. Rt. 3162/82/Home dated 27th November, 1982 published as S. R. O. No. 1468/82 in the Kerala Gazette Extraordinary No. 893 dated the 30th November, 1982, to try the cases specified therein, namely:—

1. Sri M. B. Kurup, Advocate, Cochin.
2. Sri Ratna Singh, Advocate, Kozhikode.
3. Sri K. Kunhirama Menon, Advocate, Kozhikode.
4. Sri P. V. Madhavan Nambiar, Advocate, Cochin.

By order of the Governor,

V. P. THANKAPPAN PILLAI,

Deputy Secretary to Government.

Explanatory Note

(This does not form part of the Notification but is intended to indicate its general purport.)

In G. O. Rt. 2164/82/Home dated 23-8-1982, S/Sri M. B Kurup, Ratna Singh, K. Kunhirama Menon and P. V. Madhavan Nambiar Advocates were appointed as Special Public Prosecutors to conduct prosecution before the Special Court for the trial of Mark list cases. It is considered necessary that the same Special Public Prosecutors may be authorised to appear before the High Court in all matters relating to these cases, coming before the High Court. This notification is intended to achieve the above object.

GOVERNMENT OF KERALA

Agriculture (Co-operation) Department

NOTIFICATION

No. 71432/C3/83/AD. *Dated, Trivandrum, 8th March* 1984.

S.R.O. No 331/84.—Whereas under subsection (1) of section 59 of the Kerala Co-operative Societies Act, 1969 (21 of 1969), a society shall not make a loan to any person or a society, other than a member;

And whereas under sub-rule (1) of rule 56 of the Kerala Co-operative Societics Rule, 1969, no financing bank or credit society other than an agricultural credit society with unlimited liability, a Land Mortgage Bank and a society, the object of which is to grant long term loans, exclusively on the mortgage of immovable properties, shall grant loans for periods exceeding five years ;

And whereas the Board of Directors of Tellicherry Co-operative Town Bank Ltd. No. F-1263, Tellicherry. Cannanore, bas resolved to grant long term loans to its employees for the construction of houses, purchase of land or acquisition of ready built houses ;

And whereas the employees of the said Bank are not members of the said Bank and the period of repayment of the said loans exceeds five years;

And whereas the Registrar of Co-operative Societies has requested Government to exempt the said Bank from the provisions of sub-section (1) section 59 of the Kerala Co-operative Societies Act, 1969 (21. of 1969), and sub-rule (1) of rule 56 of the Kerala Co-operative Societies Rules, 1969 for the purpose of enabling the said Bank to issue long term loans to its employees for the construction of houses, purchase of land or acquisition of ready built houses ;

And whereas the Government are satisfied that it is necessary in the public interest to exempt the Tellichery Co-operative Town Bank Ltd. No. F-1263, Tellicherry, Cannanore, from the provisions of sub-section (1) of section 59 of the Kerala Co-operative Societies Act, 1969 (21 of 1969), and from sub-rule (1) of rule 56 of the Kerala Co-operative Societies Rules, 1969;

Now, therefore, in exercise of the powers conferred by section 101 of the Kerala Co-operative Societies Act, 1969 (21 of 1969), and rule 181 of the Kerala Co-operative Societies Rules, 1969, the Government of Kerala hereby exempt the Tellicherry Co-operative Town Bank Ltd. No. F-1263, Tellicherry, Cannanore, from the provisions of sub-section (1) of section 59 of the said Act and sub-rule (1) of rule 56 of the said Rules for the limited

purpose of enabling the said Bank to advance long term loans to its employees for the construction of houses, purchase of land or acquisition of ready built houses.

By order of the Governor,
M. R. VASUDEVAN PILLAI,
Additional Secretary to Government.

Explanatory Note

(This does not form part of the Notification but is intended to indicate its general purport.)

The Board of Directors of the Tellicherry Co-operative Town Bank Ltd. No. F-1263, Tellicherry, Cannanore has resolved to grant long term loans to its employees for the construction of houses, purchase of land or acquisition of ready built houses. Under sub-section (1) of section 59 of the Kerala Co-operative Socities Act, 1969 and sub-rule(1) of rule 56 of the Kerala Co-operative Societies Rules, 1969, the said Bank cannot advance long term loans to its employees. Government in the public interest has decided to give necessary exemption from sub-section (1) of section 59 of the Kerala Co-operative Societies Act (Act 21 of 1969) and sub-rule (1) of rule 56 of the Kerala Co-operative Societies Rules, 1969. This notification is to achieve the above object.

Kerala Gazette No. 14 dated 3rd April 1984.
PART I

Section iv



GOVERNMENT OF KERALA

Abstract

UNIVERSITY OF CALICUT—CONSTITUTION OF A COMMISSION TO ENQUIRE INTO THE WORKING OF THE UNIVERSITY—ORDERS ISSUED

HIGHER EDUCATION (B) DEPARTMENT

G.O. (P) No. 49/84/H.Edn. **Dated, Trivandrum, 5th March 1984.**

ORDER

S. R. O. No. *332*/**84.**— Under sub-section (1) of section 70 of the Calicut University Act, 1975 (5 of 1975) Government of Kerala hereby Constitute a Commission consisting of the following persons as Chairman and members to inquire into the working of the Calicut University from 9th September, 1974, the date of coming into force of the said Act till date and to make recommendations to Government.

Dr. Malcolm S. Adiseshiah,
Chairman,
Madras Institute of Development Studies,
Madras. ..Chairman

Rev. Dr. P. T. Chandi,
(former Vice-Chancellor,
Gorakhpur University),
D6, Jawaharnagar,
Trivandrum. ..Member

Sri V. V. John,
F4, University Marg,
Jodhpur,
Rajasthan, . Member

2. A full time Secretary to the Commission will be appointed.

3. The Commission will inquire into and report on:—

(i) the working of the University in general during the period to which the enquiry relates;

(ii) the financial position of the University including the financial position of its colleges and departments.

(iii) any changes to be made in the provisions of the Calicut University Act or the statutes, ordinances, rules and bye-laws made thereunder with a view to bringing about improvements for bettering the performance of the University;

(iv) any other matter as may be referred to the Commission specifically by the Government.

4. The procedure to be followed by the Commission in its working will be as detailed below:

(i) The Commission may call for and obtain from the Calicut University the records required for reference or verification in connection with its work. For this purpose the Secretary to the Commission will address the Registrar of the Calicut University. The Registrar shall comply with such requisitions when received from the Secretary of the Commission.

(ii) The Commission may visit and inspect the offices, departments, laboratories, workshops etc. of the Calicut University and also of the institutions maintained or recognised by or affiliated to the Calicut University after giving intimation to the institution concerned.

(iii) The Commission may also make visits to other places or institutions which are considered necessary in connection with the work of the Commission.

(iv) The Commission may obtain, if necessary, assistance or advice of experts or individuals in matters connected with its work.

(v) After considering the data and the materials collected from the University and institutions connected with its work the Commission shall prepare and submit its report and recommendations to Government as required in section 70 (2) of the Calicut University Act, 1975.

5. The Commission is requested to bear in mind a time frame of one year from the date of assumption of charge by the Chairman for the submission of the report.

6. Orders regarding the terms and conditions of appointment of Chairman and members, staff and funds will be issued separately.

By order of the Governor,

K. Uppiliappan,
Secretary to Government.

Explanatory Note

(This is not part of the order but is intended to indicate the general purport.)

Sub-section (1) of section 70 of the Calicut University Act, 1975 (5 of 1975) provides that Government may at any time and shall at the

expiration of ten years from the commencement of the Act and thereafter at the expiration of every ten years, constitute a Commission to inquire into and report on the working of the University. The High Court in its judgement dated, 29-7-1982 in O.P. No. 656/1982-B directed the Government to consider whether or not it would be in the public interest to appoint a commission in terms of section 71 of the Kerala University Act, 1974 and section 70 of the Calicut University Act, 1975. Government have accordingly considered the matter and decided to constitute a Commission under section 70 of the Calicut University Act, 1975 to inquire into the working of the Calicut University as provided therein. Hence this order.

To

The Chairman and Members of the Commission (with C. L.)
The Registrar, University of Kerala/Calicut/Cochin/Gandhiji University.
The Accountant General, Kerala, Trivandrum.
The Advocate General, Ernakulam.
Sri Vincent Panikulangara, Advocate and General Secretary, Public Interest Law Service Society, 150, Panampally Nagar, Cochin.

———

Kerala Gazette No. 14 dated 3rd April, 1984.
PART I

Section iv



GOVERNMENT OF KERALA

Abstract

UNIVERSITY OF KERALA-CONSTITUTION OF A COMMISSION TO INQUIRE INTO THE WORKING OF THE UNIVERSITY—ORDERS ISSUED

HIGHER EDUCATION (B) DEPARTMENT

G.O. (P) No. 48/84/H.Edn. **Dated, Trivandrum, 5th March 1984.**

ORDER

S. R. O. No. **333/84.**—Under sub-section (*1*) of section 71 of the Kerala University Act 1974 (17 of 1974) the Government of Kerala hereby constitute a Commission consisting of the following persons as Chairman and members to inquire into the working of the Kerala University from 19th August, 1974, the date of coming into force of the said Act, till date and to make recommendations to Government.

Dr. Malcolm S. Adiseshiah, Chairman, Madras Institute of Development Studies, Madras.	Chairman
Rev. Dr. P. T. Chandi, (former Vice-Chancellor, Gorakhpur University), D6-Jawaharnagar, Trivandrum.	Member
Sri V. V. John, F4, University Marg, Jodhpur, Rajasthan.	Member

2. A full time Secretary to the Commission will be appointed.

3. The Commission will inquire into and report on:

(i) the working of the University in general during the period to which the enquiry relates:

(ii) The financial position of the University including the financial position of its colleges and departments;

(iii) any changes to be made in the provisions of the Kerala University Act or the Statutes, Ordinances, rules and bye-laws made thereunder with a view to bringing about improvements for bettering the performance of the University;

(iv) such other matters as may be referred to the Commission specifically by the Government.

4. The procedure to be followed by the Commission in its working will be as detailed below:

(i) The Commission may call for and obtain from the Kerala University the records required for reference or verification in connection with its work. For this purpose the Secretay to the Commission will address the Registrar of the Kerala University. The Registrar shall comply with such requisitions when received from the Secretary of the Commission;

(ii) The Commission may visit and inspect the offices, departments, laboratories, workshops etc. of the Kerala University and also of the institutions maintained or recognised by or affiliated to the Kerala University after giving intimation to the institution concerned;

(iii) The Commission may also make visits to other places or institutions which are considered necessary in connection with the work of the Commission;

(iv) The Commission may obtain, if necessary, assistance or advice of experts or individuals in matters connected with its work;

(v) after considering the data and the materials collected from the University and institutions connected with its work, the Commission shall prepare and submit its report and recommendations to Government as required in section 71 (2) of the Kerala University Act, 1974.

5. The Commission is requested to bear in mind a time frame of one year from the date of assumption of charge by the Chairman for the submission of the report.

6. Orders regarding the terms and conditions of appointment of Chairman and Members, Staff and funds will be issued separately.

By order of the Governor,
K. UPPILIAPPAN,
Secretary to Government.

Explanatory note

(This is not part of the order but is intended to indicate the general purport)

Sub-section (1) of section 71 of the Kerala University Act, 1974 (17 of 1974) provides that Government may at any time and shall, at the expiration of ten years from the commencement of the Act and thereafter at the

expiration of every ten years, constitute a Commission to inquire and report on the working of the University. The High Court in its judgement dated 29th July, 1982 in O. P. No. 656 of 1982-B directed the Government to consider whether or not it would be in the public interest to appoint a Commission in terms of section 71 of the Kerala University Act, 1974 and section 70 of the Calicut University Act, 1975. Government have accordingly considered the matter and decided to constitute a Commission under section 71 of the Kerala University Act, 1974 to inquire into the working of the Kerala University as provided therein. Hence this order.

To

The Chairman and Members of the Commission (with C. L.)
The Registrar, University of Kerala/Calicut/Cochin/Gandhiji University.
The Accountant General, Kerala, Trivandrum.
The Advocate General, Ernakulam.
Sri Vincent Panikulangara, Advocate and General Secretary, Public Interest Law Service Society, 150, Panampally Nagar, Cochin.

GOVERNMENT OF KERALA

Higher Education (E) Department

NOTIFICATION

G. O. MS. No. 34/84/H. Edn. *Dated, Trivandrum, 20th February* 1984.

S. R. O. No. 334/84.—In exercise of the powers conferred by subsection (1) of section 4 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Government of Kerala hereby order that the property specified in column (2) of the Schedule appended herewith belonging to the Endowment mentioned in column (1) thereof, shall be vested with the Treasurer of Charitable Endowments, Kerala, and under subsections (1) and (3) of section 5 of the said Act, the Government of Kerala hereby settle the following Scheme for the administration of the said property, the same having been previously published under rule 3 of the Charitable Endowments (Kerala) Rules, 1966, and appoint the date of publication of this notification to be the date on which the said Scheme shall come into operation, namely:—

SCHEME

1. This Endowment may be called "Sri T. Alexander Memorial Endowment Fund".

2. The corpus of the Endowment shall consist on Rs. 1,700 (Rupees One thousand and seven hundred only), and shall be vested with the Treasurer of Charitable Endowments, Kerala.

3. The corpus of the Endowment shall be invested in any long term securities of the Government of India or the Government of Kerala or in any of the securities approved by the Government of Kerala.

4. The Headmaster/Headmistress, of the Government High School for Boys, Kottarakara, Quilon District shall be the Administrator of the Fund.

5. The annual interest securing on the fund shall be utilised during the succeeding year for awarding a prize in cash to a student of the Government High School for Boys, Kottarakara who has passed the S.S.L.C. Examination during the previous year in the first attempt securing the highest number of marks in Social Studies.

6. The prize shall be awarded on the occassion of the School Day Celebration or on any other occasion in the academic year as decided by the Administrator and thereafter, the fact of such award with relevant particulars thereof shall be published in the notice board of the School for the information of the public.

7. If, in any year, two or more pupils secure the same number of highest marks, in Social Studies, then the amount shall be divided equally among them and the prizes awarded accordingly.

8. Requisition for payment of annual interest shall be sent by the Administrator to the Treasurer of Charitable Endowments at any time not later than two months prior to the date fixed for the award of the prize and the Treasurer of Charitable Endowments shall thereupon, arrange to place the annual interest at the disposal of the Administrator.

9. If the interest is not utilised as provided in clause, 5 or if, the prize is not awarded owing to the non-availability of a suitable candidate, or for any other reason or any balance is left after awarding the prize, such amount shall be added on to the corpus of the fund by the Treasurer of Charitable Endowments unless its payment is allowed by the Treasurer in exceptional cases on the specific recommendation of the Controlling Authority specified in clause 10.

10. If any doubt or dispute arises regarding the meaning or interpretation of the Scheme, it shall be referred to the Director of Public Instruction whose decision thereon shall be final.

SCHEDULE

Name of Endowment	Details of Property
(1)	(2)
"Sri T. Alexander Memorial Endowment Fund"	Rs. 1,700 (Rupees One thousand and seven hundred only)

By order of the Governor,

A. RAMASWAMY PILLAI,

Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification but intended to indicate its general purport.)

The Staff and students of Government High School for Boys, Kottarakara wishes to institute an Endowment in the Government High School for Boys Kottarakara. A preliminary notification regarding this has been published in the Gazette dated 27-12-1983. Now Government have accepted the Endowment for institution and hence the notification.

GOVERNMENT OF KERALA
Higher Education (E) Department
NOTIFICATION

G. O. MS. No. 36/84/H.Edn. *Dated, Trivandrum, 20th February* 1984.

S. R. O. No. 335/84.—In exercise of the powers conferred by subsections (2) & (3) of section 5 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890) and with the concurrence of the Administrator of the endowments, the Government of Kerala hereby revise the scheme for administration of "the Chendath Iravi Govinda Mannadiar Endowment Fund" settled under G.O. Ms. No. 373/1961/Edn. dated 4-7-1961 and published in the Kerala Gazette dated 4-7-1961, the same having been previously published as required under rule 3 of the Charitable Endowments (Kerala) Rules, 1966, and appoint the date of publication of this notification to be the date on which the revised Scheme shall come into operation, namely:—

SCHEME

1. This Endowment may be called "the Chendath Iravi Govinda Mannadiar Endowment Fund".

2. The corpus of the Endowment shall be consist of Rs. 1003.50 (Rupees one thousand and three and paise fifty only) and shall be vested with the Treasurer of Charitable Endowments, Kerala.

3. The corpus of the Endowment shall be invested in any long term securities of the Government of India or the Government of Kerala or in any of the securities approved by the Government of Kerala.

4. The Principal, Government College, Chittur shall be the Administrator of the Fund.

5. The annual interest accruing on the fund shall be utilised during the succeeding year for awarding the prizes in cash in the ratio 4 : 3 (rounded off to whole rupee) to the students of Government College, Chittur as shown below:—

(a) A prize in cash worth 4/7th of the annual interest shall be awarded to the student of III B.A./B.Sc. class who has passed the III B. A./B. Sc. examination in the preceding year in the first attempt securing the highest number of marks in English.

(b) Another prize in cash worth 3/7th of the annual interest shall be awarded to the student of the I B.A./B.Sc./B.Com. class who has passed the qualifying examination in the first attempt from the Government College, Chittur securing the highest number of marks in English.

6. The prizes shall be awarded on the occasion of the College Day Celebration or on any other occasion in the academic year as decided by the Administrator and thereafter the fact of such award with relevant particulars shall be published in the notice board of the College for information of the public.

7. If in any year more than one student is found eligible for any of the prizes by securing the same number highest marks then the amount of that prize shall be divided equally among them.

8 Requisition for payment of the annual interest shall be sent by the Administrator at any time not later than two months prior to the date fixed for the award of the prizes and the Treasurer of Charitable Endowments shall thereupon arrange to place the annual interest at the disposal of the Administrator.

9. If the interest is not utilised as provided in clause 5, or if the prize is not awarded owing to the non-availability of a suitable candidate or for any other reason or any balance is left after awarding the prize, such amount shall be added on to the corpus of the fund by the Treasurer of Charitable Endowments, unless payment is allowed by the Treasurer in exceptional cases on the specific recommendation of the Controlling Authority specified in clause 10.

10. If any doubt or dispute arises regarding the meaning or interpretation of the Scheme, it shall be referred to the Director of Collegiate Education.

SCHEDULE

Name of Endowment (1)	*Details of property* (2)
"The Chandath Iravi Govinda Mannadiar Endowment Fund".	Rs. 1003.50 (Rupees one thousand and three and paise fifty only)

By order of the Governor,

A. RAMASWAMY PILLAI,

Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Principal, Government College, Chittur wishes to revise the scheme of "The Chandath Iravi Govinda Mannadiar Endowment Fund" settled as per G.O. (Ms.) 373/1961/Edn. dated 4-7-1961. The Preliminary Notification regarding this has been published in the Gazette dated 20-12-1983. Now Government have accepted the revised scheme for institution and hence this notification.

GOVERNMENT OF KERALA

Labour (F) Department

NOTIFICATION

G.O. (Rt.) No. 256/84/LBR. *Dated, Trivandrum, 23rd February* 1984.

S.R.O. No. 336/84—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948), read with section 91-A thereof, the Government of Kerala in consultation with the Employees' State Insurance Corporation hereby exempt the twenty two establishments of the Kerala State Road Transport Corporation specified in the schedule below from the operation of the provisions of the said Act for a further period from the 1st October 1981 upto and inclusive of the 30th September 1981 subject to the following conditions, namely:—

1. The establishment shall maintain a register showing the names and designations of its employees;

2. Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;

3. The contribution for the exempted period, if already paid, shall not be refunded;

4. The establishment shall submit in respect of the period during which it was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the employees' State Insurance (General) Regulations, 1950;

5. Any Inspector appointed by the Corporation under subsection (1) of section 45 of the said Act, or other official of the Corporation authorised in this behalf shall, for the purposes of—

(i) verifying the particulars contained in any return submitted under subsection (1) of section 44 of the said Act; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to the benefits provided by the employer in cash and kind being benefits in considerations of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the said Act had been complied with during the period when such provisions were in force in relation to the said establishment be empowered to—

(a) require the establishment to furnish to him such information as he may consider necessary; or

(b) enter any factory, establishment office or other premises occupied by the said establishment at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such documents, books and other documents, relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or

(c) examine the officers of the establishment servants, of the said establishment or any person found in such factory establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to bave been an employee; or

(d) make copies of or take extracts from any register, account book or other documents maintained in such establishments, office or other premises of the said establishment schedule.

1. K.S.R.T.C. Garage, Muvattupuzha.
2. K.S.R.T.G. Garage, Payyannur.
3. K.S.R.T.G. Garage, Punalur.
4. K.S.R.T.G. Garage, Pathanamthitta.
5. K.S.R.T.C. District Transport Garage, Quilon.
6. K.S.R.T.G. District Transport Garage, Kottayam.
7. K.S.R.T.G. City Garage, Trivandrum.
8. K.S.R.T.G. Gentral District Garage, Thampanoor, Trivandrum.
9. Boat Building Yard, Perumanoor, Ernakulam.
10. K. S. R. T. G. Gentral Works Pappanamcode, Trivandrum.
11. District Transport Garage and Workshop, Pulamon, Kottarakkara.
12. Sub District Garage, Neyyattinkara.
13. District Transport Garage, Trichur.
14. Sub District Transport Garage, Cannanore.
15. Regional Workshop, Alwaye.
16. Sub District Garage, Kayamkulam.
17. Sub District Garage, Nedumangad.
18. District Transport Garage, Kozhikode.
19. District Transport Garage, Alleppey.

20. District Transport Garage, Alwaye.
21. Sub District Transport Garage, Palghat.
22. District Transport Garage, Ernakulam.

By order of the Governor,
U. MAHABALA RAO,
Commissioner and Secretary to Government Labour & Taxes.

Explanatory note

(This does not form part of the notification, but is intended to indicate its general purport.)

The ESI Corporation in their letters No. Ins. I 28 (3) 6/64 (3) Col. II dated 22-10-1981 and 2-12-1981 has recommended to grant exemption to the twenty two establishments of the Kerala State Road Transport Corporation from the coverage of ESI Act for a further period upto and inclusive of 30-9-1982 as a very special case, pending review of the policy for the grant of exemption by the Central Government. Government have accepted this recommendation of the ESI Corporation. This notification is intended to achieve the above purpose.

GOVERNMENT OF KERALA

Labour (F) Department

NOTIFICATION

G. O. (Rt.) No. 265/84/LBR. *Dated, Trivandrum, 27th February* 1984.

S.R.O. No. 337/84.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948), read with section 91-A thereof, the Government of Kerala, in consultation with the Employees' State Insurance Corporation, hereby exempt M/s. Aimury Handmade Paper and Village Industries Co-operative Society Ltd. No. K. Ind. (E) 16, Koovapady P.O., Perumbavoor, Ernakulam from the operation of the provisions of the said Act for a period of one year from 1st January, 1980 subject to the following conditions, namely:—

1. The society shall maintain a register showing the names and designations of its employees;

2. Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to in the basis of the contributions paid prior to the date from which exemption granted by this notification operates ;

3. The contribution for the exempted period, if already paid, shall not be refunded;

4. The society shall submit in respect of the period during which it was subject to the operation of the said Act, (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the sain period under the employees' State Insurance (General) Regulations, 1950;

5. Any Inspector appointed by the Corporation under subsection (1) of section 45 of the said Act, or other official of the Corporation authorised in this behalf shall, for the purposes of—

(i) verifying the particulars contained in any return submitted under subsection (1) of section 44 of the said Act ; or

(ii) assertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or

(iii) ascertaining whether the employees continue to be entitled to the benefits provided by the employer in cash and kind being benefits in considerations of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the said Act had been complied with during the period when such provisions were in force in relation to the said society be empowered to—

(a) require the society to furnish to him such information as he may consider necessary; or

(b) enter any factory, establishment, office or other premises occupied by the said society at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such documents, books and other documents, relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or

(c) examine the officers of the society or the servants of the said society or any person found in such factory establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or

(d) make copies of or take extracts from any register, account book or other documents maintained in such society office or other premises of the said society.

By order of the Governor,

U. MAHABALA RAO,
Commissioner and
Secretary to Government.
(Labour and Taxes.)

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Chairman, Aimury Handmade Paper and Village Industries Co-operative Society Ltd. No. K.V Ind. (E) 16, Koovapady P.O., is his petition dated 13-12-1982 requested Government to exempt the society from the provisions of the E.S.I. Act for a period of one year from 1-1-1980 to 31-12-1980. Government aiter consulting with the Regional Director of E.S.I. Corporation placed the case before the 36th meeting of the Regionl Board of ESI Corporation. The Board Recommended exemption. Government accepted the recommendation and decided to Grant exemption for a period of one year from 1-1-1980. This notification is intended to achieve the above purpose.

GOVERNMENT OF KERALA

Local Administration & Social Welfare (G) Department

NOTIFICATION

G. O. (MS) No. 243/83/LA&SWD. *Dated, Trivandrum, 31st December* 1983.

S. R. O. No. 338/84.—Under subsection (5) of section 12 of the Town Planning Act, 1108 (IV of 1108), the Government of Kerala hereby notify that under subsection (3) of the said section, the Government have sanctioned the Detailed Town Planning Scheme for Vaikom West Nada, Vaikom. The Government Order sanctioning the scheme is hereby published as required under subsection (5) of section 12 of the said Act. The scheme will be open to inspection of the public at the Municipal Office, Vaikom during office hours for a period of one month from the date of publication of this notification in the Gazette.

By order of the Governor,
M. S. K. RAMASWAMI,
Commissioner and Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

The Chief Town Planner has forwarded a Detailed Town Planning Scheme for the area Vaikom West Nada for Government sanction under section 12 of the Town Planning Act, 1108. Government have examined the scheme in detail and are pleased to accord sanction for the scheme and notify the same as required under subsection (5) of section 12 of the said Act. This notification is intended to achieve the above purpose.)

GOVERNMENT OF KERALA

Abstract

DETAILED TOWN PLANNINO SCHEME FOR VAIKOM WEST NADA, VAIKOM—SANCTION ACCORDED

LOCAL ADMINISTRATION AND SOCIAL WELFARE (G) DEPARTMENT

G. O. (MS) No. 243/83/LA&SWD. *Dated, Trivandrum*, 31*st December* 1983.

Read:—1. Letter No. VM1-47/78 dated 18-7-1983 from the Commissioner, Vaikom.

2 Letter No. C1-8601(3310)/83 dated 27-9-1983 from the Chief Town Planner.

ORDER

The Municipal Commissioner, Vaikom has forwarded along with his letter read as first paper above, a Detailed Town Planning Scheme for Vaikom West Nada, Vaikom, as laid down under subsection (2) of section 12 of the Town Planning Act, 1108 (IV of 1108) and rule 44 of the Town Planning Rules, 1113, issued under the said Act, for Government sanction. The Chief Town Planner has recommended the scheme for sanction.

2. Government have examined the scheme in detail and hereby sanction the detailed Town Planning Scheme for Vaikom West Nada, Vaikom, undersubsection (3) of section 12 of the Town Planning Act, 1108 (IV of 1108). The details of land proposed to be acquired are appended to this order.

3. In order to have successful implementation of the scheme, the Government direct that the Public Works Department, Public Health Engineering Department, Kerala State Electricity Board and Housing Board

should associate themselves with Vaikom Municipality in implementing the scheme.

A copy of the scheme as proposed by the Chief Town Planner and approved by Government is herewith forwarded to the Municipal Commissioner, Vaikom.

By order of the Governor,
M. S. K. RAMASWAMI,
Commissioner and Secretary to Government.

SCHE

Detailed Town Planning Scheme

FORM

Details of lands

Purpose for which lands to be acquired	Name of Village	Sy. Nos. affected		Description of land	Name of Owner Occupier
		Sy. No.	Sub. Dn. No.		
(1)	(2)	(3)	(4)	(5)	(6)
Road AA	Vaikom Village	192	3	Dry	
	,,	192	5	,,	
	,,	192	6	,,	
	,,	194	3	,,	
	,,	194	2	,,	
	,,	194	1	,,	
	,,	193	35	,,	
Road BB	,,	194	3	Dry	
	,,	194	4	,,	
Road CC	,,	194	4	Dry	
	,,	193	34	,,	
	,,	193	35	,,	
Road DD	Naduvila Village	206	3	Dry	
	,,	206	5	,,	
	,,	206	2		

DULE—V

for West Nada, Vaikom

No. 9

to be acquired

Boundaries of Land Area				Area		Remarks
East	South	West	North	Hects.	Ares	
(7)	(8)	(9)	(10)	(11)	(12)	(13)
192/5	192/3	Thodu	192/4	..	2.40	
192/6	192/5	192/3	192/5	..	1.28	
206/5	192/3	192/5	192/6	..	0.83	
206/5	194/3	194/1	192/6	..	2.81	
194/3	194/2	193/35	194/1	..	0.44	
194/3	193/35	Thodu	194/1	..	4.80	
194/2	193/35	Thodu	194/1	..	0.97	
				..	13.53	
206/5	194/4	194/3	194/3	..	4.62	
206/5	194/4	194/4	194/3	..	1.98	
				..	6.60	
194/4	194/4	193/34	194/4	..	5.70	
194/4	193/34	193/34	193/34	..	9.12	
193/35	193/34	193/35	194/35	..	4.80	
				..	19.62	
206/5	206/3	205/4	206/3	..	2.72	
206/5	206/2	205/3	206/5	..	0.32	
206/5	206/2	206/2	206/5	..	0.25	
				..	3.39	

(1)	(2)	(3)	(4)	(5)	(6)
Park	Vaikom Village	194	3	Dry	
	,,	194	4	,,	
	,,	194	2	,,	
	,,	193	35	,,	
	,,	193	34	,,	
Commercial	,,	193	35	,,	
	,,	193	34		
	,,	193	35		
	,,	194	4		
Residential	,,	194	4		
	,,	194	34		
	,,	193	33		

(7)	(8)	(9)	(10)	(11)	(12)	(13)
194/3	194/4	194/2	194/3	..	15.36	
194/4	194/4	194/34	194/3	..	8.96	
194/3	193/34	193/35	194/2	..	7.68	
194/2	193/34	193/35	193/35	..	15.20	
194/4	193/34	193/34	193/35	..	11.20	
				..	58.40	
193/35	193/34	Thodu	193/35	..	6.62	
194/4	193/34	Thodu	193/35 193/34	..	12.56	
193/34	193/33	Thodu	193/34	..	1.92	
194/4	Scheme boundary	193/34	194/4	..	7.84	
				..	35.04	
Scheme boundary	193/34	193/34	194/4	..	0.48	
194/4	Scheme boundary	193/33	193/34	..	17.12	
193/34	Scheme boundary	Thodu	193/33	..	3.68	
	Total = 1.72 Hectares			..	21.68	

GOVERNMENT OF KERALA

Revenue (Legislation) Department

NOTIFICATION

G. O. (Ms) No. 214/84/RD. *Dated, Trivandrum,* 18*th February* 1984.

S. R. O. No. 339/84.—In exercise of the powers conferred by section 99 of the Kerala Land Reforms Act, 1963 (1 of 1964), the Government of Kerala hereby make the following amendment to their Notification No. 11803/S1/78/RD-1 dated the 19th May, 1978 published as S.R.O. No. 450/78 in the Kerala Gazette Extraordinary No. 332 dated the 23rd May, 1978, as subsequently amended, namely :—

AMENDMENT

In the schedule to the said notification, under the heading "Kozhikode District", in column (2) against serial number 64, for items 9 and 10, the following items shall be substituted, namely:—

"9. Koodaranji
10. Mukkom and
11. Karasseri Panchayats;.

By order of the Governor,
N. M. SAMUEL,
Deputy Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The name of the new Panchayat viz, "Karasseri" Panchayat which was formed as per G.O. (MS) 127/75/LA and SWD dated 4-6-1975 and came into existence with effect from 4-10-1976 has not been included in the area of jurisdiction of the Special Tahsildar (LR) Kunnamangalam so far even though the area coming under the new panchayat was originally within the jurisdiction of that Land Tribunal. The notification is intended to achieve the above purpose.

GOVERNMENT OF KERALA

Water and Power (Electricity-A) Department

NOTIFICATION

No. 5218/ELA2/84/W&P. *Dated, Trivandrum 14th March* 1984.

S.R.O. No. 341/84.—Whereas Shri V. Sukumaran Nair, Accounts Member, Kerala State Electricity Board has been deputed to Montreal, Canada for attending the training programme between the 27th November, 1983 to 6th March, 1984;

And whereas by Notification No. 38658/ELA2/83/W&P dated the 20th December, 1983, published as S.R.O. No. 39/84 in the Kerala Gazette No. 3 dated 17th January 1984, Shri. G. Dwarakanath, Technical Member, Kerala State Electricity Board was appointed to officiate for the Accounts Member till the date on which Sri. Sukumaran Nair, Accounts Member rejoins duty;

And whereas by Notification No. 4451/ELA2/84/W&P dated the 15th February, 1984, published as S. R. O. No. 161/84 in the Kerala Gazette Extraordinary No. 126 dated the 16th February, 1984 Sri P. Kesava Pillai, Chief Engineer, Electricity (General), Kerala State Electricity Board has been appointed as Technical Member in the place of Shri. G. Dwarakanath;

Now, therefore, in exercise of the powers conferred by section 11 of the Electricity (Supply) Act 1948, (Central Act 54 of 1948), the Government of Kerala, hereby appoint Shri P. Kesava Pillai, Technical Member, Kerala State Electricity Board to officiate for the Accounts Member and carry out his functions under the Act or any rule or regulation made thereunder, in addition to his own functions as Technical Member of the Board till the date on which Shri V. Sukumaran Nair, Accounts Member, rejoins duty on the expiry of the period of his deputation.

By order of the Governor
G. Gopalakrishna Pillai
Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

In Notification No. 38658/ELA2/83/W&P dated 20th December, 1983, Government have appointed Shri. G. Dwarakanath, Technical Member, Kerala State Electricity Board to officiate for the Accounts Member of

Kerala State Electricity Board and carry out his functions till Shri. V. Sukumaran Nair, Accounts Member rejoins duty on the expiry of the period of his deputation to Montreal, Canada for training. Consequent on the retirement of Shri. C. Dwarakanath, Technical Member from the Board's Service from 17-2-1984, Government have reconstituted the Kerala State Electricity Board in Notification No. 4451/ELA2/84/W&P dated 16-2-1984 appointing Shri P. Kesava Pillai, Chief Engineer (Electricity General) as Technical Member. Government have now decided to appoint Shri P. Kesava Pillai to officiate as Accounts Member, in addition to his duties as Technical Member till Shri. Sukumaran Nair, Accounts Member rejoins duty on the expiry of the period of his deputation. This notification is intended to achieve the above object.

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Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Tuesday 3rd April 1984 / 14th Chaithra 1906 (Saka) [No. 291

1961-ലെ-കേരളാ സ്ഥലമെടുപ്പ് ആക്ട്

1962ലെ-21-ാം ആക്ട് 9 (5)-ാം വകുപ്പ് പ്രകാരമുള്ള നോട്ടീസ്

നമ്പർ ഡി. 1018/83. 1984 മാർച്ച് 28.

താഴെ കൊടുത്തിരിക്കുന്ന ലിസ്ററിൽ പറഞ്ഞിട്ടുള്ളതും, 1961-ലെ കേരള സ്ഥലമെടുപ്പു ആക്ററ് (1962 ലെ 21-ാം ആക്ററ്) പ്രകാരം ഒരു പൊതുക്കാര്യത്തിന് ആവശ്യമായിട്ടുള്ളതുമായ ഭൂമി കൈവശപ്പെടുത്തുവാൻ സർക്കാർ ഉദ്ദേശിക്കുന്നുവെന്നു ഇതിനാൽ നോട്ടീസ് നൽകിയിരിക്കുന്നു. പ്രസ്തുത ഭൂമിയിൽ അവകാശബന്ധമുള്ള എല്ലാപേരും നേരിട്ടോ അധികൃത ഏജൻറ് മൂലമോ താഴെ പറയുന്ന തീയതിയിലും സമയത്തും സ്ഥലത്തും ഹാജരാകുകയും ഭൂമിയിൽ അവരോരോരുത്തർക്കുമുള്ള അവകാശബന്ധങ്ങളെ സംബന്ധിച്ചിടത്തോളം നഷ്ടപ്രതിഫലത്തിന് അവർക്കുള്ള തേർച്ചയുടെ തുകയും വിവരങ്ങളും ആക്ട് 8-ാം വകുപ്പുപ്രകാരം എടുത്തിട്ടുള്ള അളവ് സംബന്ധിച്ച് വല്ല ആക്ഷേപവുമുണ്ടെങ്കിൽ അതും ഏതാണെന്നാ കാണിച്ചുകൊണ്ട് പ്രസ്താവന ചെയ്യുകയും അവരോ അവരുടെ ഏജൻറുമാരോ എഴുതി ഒപ്പിട്ട ഒരു സ്റേററ്മെൻറ് സമർപ്പിക്കുകയും ചെയ്യണമെന്ന് അവരോട് ആവശ്യപ്പെടുന്നു.

കുറിപ്പ്:—അവകാശബന്ധമുള്ളവർ നഷ്ടപ്രതിഫലത്തിന് തേർച്ച ചെയ്യുവാൻ വീഴ്ച വരുത്തുകയോ വീഴ്ച വരുത്തുന്ന പക്ഷം അവരുടെ അപേക്ഷയിൻമേൽ കോടതിക്ക് റഫറൻസ് അയയ്ക്കുന്ന സംഗതിയിൽ കോടതി വിധിച്ചുകൊടുക്കേണ്ട തുക യാതൊരു സംഗതിയിലും ആക്ട് 11-ാം വകുപ്പു പ്രകാരം കളക്ടർ വിധിച്ച് കൊടുക്കുന്ന തുകയിൽ കവിയാൻ പാടില്ലാത്തതാകുന്നു.

33/1287/84/J.

ഭൂമിയുടെ വിവരണം

ജില്ല—ആലപ്പുഴ. താലൂക്ക്—ചേർത്തല.

വില്ലേജ്—മാരാരിക്കുളം വടക്ക്.

ഹാജരാകേണ്ട സ്ഥലവും സമയവും, തീയതിയും.—I ആലപ്പുഴ റെയിൽവേ സ്ഥലമെടുപ്പ് സ്പെഷ്യൽ തഹശീൽദാർ മുമ്പാകെ 1984 ഏപ്രിൽ മാസം 21-ാം തീയതി കാലത്ത് 11 മണിക്ക് മാരാരിക്കുളം വടക്ക് വില്ലേജാഫീസിൽ.

ക്രമ നമ്പർ	സർവ്വേ നമ്പർ	വിവരണം	വിസ്തീർണ്ണം (ആർസ്)
1.	176/5A1	പുരയിടം	02.07
2.	176/5C4	,,	01.40
3.	176/6A1	നിലം	04.10
4.	176/6B1	,,	01.35
5.	176/7-2	,,	09.14
	,,	പുരയിടം	00.06
6.	176/7-3	നിലം	01.00
7.	176/8B17	നിലം	02.00
8.	176/8B22	പുരയിടം	02.25
9.	176/8B24	,,	04.95
10.	176/8B26	,,	04.70
11.	176/8B27	,,	00.75
12.	176/8B30	,,	03.05
13.	177/3B1	,,	08.00
14.	177/4-2	നിലം	01.60
15.	177/8-2	,,	01.17
	,,	പുരയിടം	00.20
16.	177/9A3	,,	00.40
	,,	നിലം	05.85
17.	177/9B1	,,	03.48
18.	177/10B1	പുരയിടം	00.65
19.	177/11-3	,,	00.12
20.	177/11-4	,,	00.22
21.	177/13-4	,,	02.25
22.	177/13-5	,,	01.35
23.	176/5C3	,,	00.23
24.	177/5-2	നിലം	01.53

ഹാജരാകേണ്ട സ്ഥലവും സമയവും തീയതിയും.—II ആലപ്പുഴ റെയിൽവേ സ്ഥലമെടുപ്പ് സ്പെഷ്യൽ തഹശീൽദാർ മുമ്പാകെ 1984 ഏപ്രിൽ മാസം 28-ാം തീയതി കാലത്ത് 11 മണിക്ക് തുറവൂർ വടക്ക് വില്ലേജ് ആഫീസിൽ

ക്രമനമ്പർ	സർവ്വേ നമ്പർ	വിവരണം	വിസ്തീർണ്ണം (ആർസ്)
1.	181/3-9	പുരയിടം	01.95
2.	81/3-10	,,	00.49
3.	181/3-12	,,	04.60
4.	181/3-13	,,	00.56
5.	182/10-5	,,	06.70
6.	182/10-7	,,	02.17
7.	182/11-7	,,	01.95
8	182/11-8	,,	02.35
9.	182/11-9	,,	01.23
10.	182/11-10	,,	01.72
11.	182/12-4	,,	01.35
12.	182/16A3	,,	00.60
13.	182/16B2	,,	01.60

(ഒപ്പ്)
സ്പെഷ്യൽ തഹശീൽദാർ,
(എൽ. എ.) റെയിൽവെ.

ആലപ്പുഴ.

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1984

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Home (A) Department

NOTIFICATION

G. O. (P) No. 40/84/Home. *Dated, Trivandrum, 30th March,* 1984.

S. R. O. No. 352/84.—In exercise of the powers conferred by sub section (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968), the Government of Kerala hereby make the following special rules in respect of Special Recruitment from among members of Scheduled Castes and Scheduled Tribes to the post of Head Constable (Local Police) in the Police Department, namely:—

RULES

1. *Short title and commencement.*—(a) These rules may be called the Special Rules in respect of Special Recruitment from among members of Scheduled Castes and Scheduled Tribes to the post of Head Constable (Local Police) in the Police Department, 1984.

(b) They shall come into force at once.

2. *Educational Qualification.*—No person shall be eligible for appointment to the post unless he possess the minimum educational qualification of a pass in the S. S. L. C. Examination or equivalent qualification.

3. *Physical Qualifications.*—The minimum physical qualifications for the post shall be the following:—

(a) Height:—Must not be less than 160 Centimetres

(b) Chest:—76 Centimetres with a minimum expansion of 5 Centimetres.

(c) Must be certified by a Medical Officer of the Health Services Department as to his Physique and fitness and capacity for outdoor work and as to the visual standards specified below:

	Right eye	Left eye
(i)	Distant Vision 6/6 snellen	6/6 snellen
	Near Vision 0.5 snellen	0.5 snellen

(ii) Each eye must have a full field of vision

(iii) Colour blindness, squint or any morbid condition of the eye or lid of either eye shall be deemed to be a disqualification.

4. *Qualification regarding age.*—The candidate for the post must have completed 20 years of age and must not have completed 35 years of age on the first day of January of the year in which applications for appointment to the post are invited. The relaxation in age limit envisaged in sub rule (c) of rule 10 of the General Rules of the Kerala State and Subordinate Service Rules, 1956, shall not apply to the candidates for appointment under these rules.

5. *Selection.*—The candidate shall have to appear for a written examination conducted by the Kerala Public Service Commission on intelligence, power of observation, general knowledge and essay writing. Those candidates who qualify in the written test shall have to undergo a physical efficiency test and must qualify in at least five of the undermentioned eight events for one star standard, which is the minimum requirement for the recruitment:

	Events	*One star standard*
(1)	100 Metres run	14 seconds
(2)	High Jump	132.20 Centimetres (4′ 6″)
(3)	Long Jump	457.20 Centimetres (15′)
(4)	Putting the shot of 7264 Grams (16 lbs.)	609.60 Centimetres (20′)
(5)	Throwing the Cricket Ball	6096 Centimetres (200′)
(6)	Rope climbing (only hand)	365.80 Centimetres (12′)
(7)	Pull ups or Chinning	8 times
(8)	1500 Metres run	5 minutes 44 seconds

6. *Training.*—Every person appointed under these rules shall undergo training for a period of 9 months in the Police Training College or in such other institutions as may be prescribed by Government and outdoor training for 9 months in the Districts.

7. *Pay during the training period.*—During the period of training the candidate shall be paid the minimum of the scale of pay plus usual allowances attached to the post.

8. *Probation.*—Every person appointed under these rules shall from the date of completion of training be on probation for a total period of 2 years on duty within a continuous period of 3 years.

9. *Appointing Authority.*—The appointing authority shall be the Superintendent of Police/Commissioner of Police.

By order of the Governor,

N. KALEESWARAN,

Commissioner & Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate the general purport.)

Government have reserved certain number of posts in the category of Head Constable (Local Police) in the Police Department for appointment by special recruitment from among Scheduled Caste/Scheduled Tribe. But there are no rules regulating appointment by direct recruitment to the above post. Therefore Government consider that it is necessary to make Special Rules under the Kerala Public Services Act for the recruitment of Scheduled Caste/Scheduled Tribe candidate to the above posts in the Police Department. This notification is intended to achieve this object.

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TRIVANDRUM, 1984.